

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION
OF 1975

HELD IN THE CITY OF MONTGOMERY, ALABAMA
COMMENCING TUESDAY, MAY 6, 1975



Vol. 3

WITH AN INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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CONTENT

To facilitate research in the Senate Journal, the following information is included at the end for your convenience:

1. List of registered lobbyists, with lobby group affiliation;
 2. Legislative roster, listing names and addresses of all members of the current Legislature by district;
 3. A listing of legislative days, with calendar dates and pages on which each day begins;
 4. A topic index, listing all bills and resolutions alphabetically by subject matter;
 5. A miscellaneous index, including all items not categorized as bills or resolutions;
 6. A sponsor index, listing all Senate bills and resolutions alphabetically by author;
 7. A Senate bill numerical index, with short titles; and
 8. A House bill numerical index.
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OF THE
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THIRTY-FIRST LEGISLATIVE DAY

THURSDAY, SEPTEMBER 18, 1975

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Rabbi Raphael Gold, Agudath Israel Congregation, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

JOURNAL

On motion of Mr. King, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

**REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL**

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

E. C. FOSHEE,
Chairman.

COMMITTEE REPORT

On motion of Mr. Foshee, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. King, leave of absence was granted Mr. Weaver for today.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, had compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 15. To provide that all former Governors of the State of Alabama upon reaching age sixty (60) shall be entitled to monthly retirement pay; that any former governor physically or mentally disabled while in office shall be entitled to receive his full salary after leaving office; all to be paid out of the General Fund of the State Treasury; repealing Act No. 304, H. 345, 1967 Regular Session (1967 Acts, p. 847; now appearing in Code of Alabama Recompiled 1958, Title 55, Section 172(2)) and other conflicting provisions of law.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

REPORTS OF COMMITTEES

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Wilson, Noonan, Stewart, Flippo, Jones, Perry, McDonald (A), Baker, Givhan, Perloff, King and Bank:

S. 678. To propose an amendment to the Constitution of Alabama requiring that all revenues received by the State after September 30, 1976 (with certain specified exceptions) be immediately paid into the State Treasury for credit to the general fund of the State, prohibiting the Legislature from passing, after September 30, 1976 any law allocating or earmarking any State revenues for any special purpose or to or for the benefit of any particular agencies (with certain specified exceptions) and specifying that State authorities and public corporations may continue to issue, in pursuance of law, bonds and other securities that are not general obligations of the State and that are payable solely out of certain specified State revenues, and that such bonds and other securities shall not constitute debts of the State within the meaning of the Constitution.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Wilson:

S. 885. To make an appropriation from the state treasury for the relief of J. W. Hunter.

By Mr. Gilmore:

S. 971. To authorize cooperation among and between counties, municipalities, other governmental subdivisions and agencies, public corporations, the state, and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of areas.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Powell and Jones (With Substitute):

S. 985. To make an appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Owen:

S. 1163. In order to provide support funds for the Department of Public Safety to employ additional troopers in fiscal year 1975-76. This bill provides that funds in the approximate amount of \$350,000.00 (Three hundred fifty thousand dollars) or such other amount appropriated to the use of the Department of Public Safety for "Other Salaries" which will revert to the General Fund September 30, 1975, be appropriated and reallocated to the Department of Public Safety for "Other Expenses" in fiscal year 1975-76.

By Messrs. McNees and Merrill:

H. 64. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

By Mr. Sasser:

H. 80. To provide facilities for displaying certain aviation and other exhibits in cooperation with the Department of the Army; creating the Alabama Aviation Exhibit Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds,

subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

By Mr. Sasser:

H. 81. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding (\$2,000,000.00) for the purpose of providing and equipping permanent housing facilities for displaying certain exhibits in cooperation with the Department of the Army.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Pegues:

H. 89. To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a privilege or license tax against certain persons and utilities on account of the furnishing of certain utility services and prescribing rates and exclusions therefrom, providing for the issuance of a utility license and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax; deleting the words "other than by a municipality or other municipal entity organized by a municipality" from the definition of "Utility Services" in Section 1, and by adding a new Section (h) to Section 5.

By Messrs. Dial, Teague, Moore (O) and McCluskey:

H. 747. To propose an amendment to the Constitution of Alabama authorizing the issuance of general obligation bonds of the State of Alabama in principal amount not exceeding \$3,000,000.00 for the purpose of providing and equipping permanent housing facilities for the display of certain exhibits.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Dial, McCluskey, Teague and Moore (O):

H. 748. To provide facilities in Talladega County for displaying certain antique automobiles, artifacts relating to the history of the automobile and historical displays relating to the automobile racing industry; creating the Motor Sports Hall of Fame Commission as an agency of the State of Alabama and providing for its membership, terms, authority and duties; authorizing the issuance of revenue bonds and general obligation bonds, subject to the approval of the Governor, and providing for the retirement of such bonds; authorizing the allocation and expenditure of funds; and providing exemptions from all taxes.

By Mr. Manley, et al:

H. 843. To establish an Alabama Women's Hall of Fame; to prescribe its purposes and membership; to provide for election of members and officers and for the holding of meetings; and to appropriate funds for the use of the Board in carrying out its purposes.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the

following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Folmar (With Amendment):

H. 1323. To amend Act No. 399, H. 78, 1969 Regular Session, [Acts 1969, p. 773; now appearing in Code of Alabama Recompiled 1958, Title 26, Section 166 (115-117)] known as the Alabama Surface Mining Act of 1969, relative to the amount of filing fees for surface mining permits and of reclamation bonds; to authorize the Director of Industrial Relations to establish certain rules and regulations, appoint advisory committees, refuse to issue permits under certain conditions; to more clearly define water pollution and controls; to eliminate land substitutions; to modify reclamation procedures; and to establish a special fund for monies received as fees, penalties and forfeitures.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Turnham and Mitchem:

H. 1529. To amend Act No. 300, H. 321, Legislature of 1973, the General Appropriations Act, of the two fiscal years ending September 30, 1974 and September 30, 1975 by amending the provisions of said Act appropriating funds for fire ant control; and, to make an appropriation to the Department of Agriculture and Industries for the fiscal year ending September 30, 1975.

By Mr. Crowe, et al:

H. 1568. To amend Subsections D and K of Section 186, Section 191, Section 194, Subsection C of Section 201, Section 204, Section 207, Subsections D and E of Section 213, Subsections B and C of Section 214, Subsection D of Section 216, Subsection C of Section 218, and Subsection B and C of Section 224, Title 26, Chapter 4, Code of Alabama 1940, as last amended.

By Messrs. Turnham, Higginbotham, Whatley, Carothers, Sandusky, Smith (C), Wyatt and Cates:

H. 1601. To provide for the partial participation of employees of the Cooperative Extension Service of Auburn University under Federal appointment in the Employees' Retirement System.

By Mr. Callahan, et al:

H. 1605. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of revenue bonds for the purpose of the construction, improvement and equipment of additional seaport facilities at the Port of Mobile for the handling and storage of coal, coke, or any other materials in bulk or containers, or any other method of shipment; to provide for the details of the bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or

credit of the State of Alabama, shall bear such rate or rates of interest as may be specified in the order of the Department without regard to statutory limitations on interest rates, and shall be limited obligations payable solely out of revenues of the Department derived from its special handling charge, and out of revenues from a severance tax on coal; the pledge of the special handling charge for payment of the said principal and interest and that such pledge will constitute a charge on the revenues so pledged; to provide for, appropriate and authorize the pledge of a sufficient portion of a severance tax levied by Act No. 2305 adopted by the 1971 Regular Session of the Legislature of Alabama, as amended by the Act adopted by the 1975 Regular Session of the Legislature of Alabama that was introduced as House Bill 1607 at that session, to the extent necessary to pay the principal of and interest on said bonds and to create revenues therefor and that such pledge will constitute a charge on the revenues so pledged; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing or any pledge or instrument securing the said bonds; to provide that all bonds issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits or funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful for the investment of fiduciary funds; to authorize the investment of proceeds of the bonds not presently needed for the purpose for which they are issued; and to provide that the provisions of this Act shall be severable and any portion hereof that may be held invalid shall not affect the remaining portions.

By Mr. Callahan, et al:

H. 1606. To amend section 5 of Act No. 64 enacted at the 1971 First Special Session of the Legislature of Alabama (Acts of 1971, p. 115), as amended by section 3 of Act No. 2306 enacted at the 1971 Regular Session of the Legislature of Alabama (Acts of 1971, p. 3724), the act being entitled "An Act to authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$15,000,000 principal amount of revenue bonds for the purpose of the construction, improvement and equipment of additional seaport facilities at the Port of Mobile for the handling and storage of coal, coke, or any other materials in bulk containers, or any other method of shipment, to authorize the Department to make temporary loans by the sale and issuance of its bond anticipation notes and to pay such notes and the interest thereon out of proceeds from the sale of the bonds herein authorized; to provide for the details of the bonds and notes issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of certain revenues of the said Department derived from the facilities constructed with the proceeds of the said notes and bonds, and out of revenues from a severance tax on coal, except that the notes shall also be payable out of the proceeds from the sale of the bonds; to provide for and authorize the imposition and collection of an additional handling charge for the use of the said facilities and the pledge of such additional charge for payment of the said principal and interest and that such pledge will constitute the first charge on the

revenues so pledged; to provide for, appropriate and authorize the pledge of a sufficient portion of a severance tax levied by the acts adopted by the 1971 Regular Session of the Legislature of Alabama that was introduced as House Bill 875 at said session to the extent necessary to pay the principal of and interest on said bonds and notes and to create reserves therefor; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing or any pledge or instrument securing, the said bonds; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits or funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful for the investment of fiduciary funds; to authorize the investment of proceeds of the bonds and the notes not presently needed for the purpose for which they are issued; and to provide that the provisions of this Act shall be severable and any portion hereof that may be held invalid shall not affect the remaining portions," so as to increase the amount of the special handling charge authorized to be imposed and collected, to provide that the proceeds collected from the special handling charge shall be available for use in the payment of interest and principal on certain revenue bonds which may be authorized by the 1975 Regular Session of the Legislature of Alabama to be issued by the Alabama State Docks Department, and to extend the term during which the special handling charge shall be collected.

By Mr. Callahan, et al:

H. 1607. "To amend sections 1, 2, 5, 6, and 9 of Act No. 2305 enacted at the 1971 Regular Session of the Legislature of Alabama (Acts of 1971, p. 3719), entitled "An Act To raise revenue by levying an excise and privilege tax on every person engaged in the severance of coal from the soil in this state; to provide for the collection, payment and administration of such tax; to provide for the use of the proceeds of such tax; to provide for refunds of excess taxes; to provide for penalties for violation of the provisions of this Act; and to provide for eventual termination of such tax," so as to increase the rate of tax levied; to provide that the proceeds of the tax levied on the severance of coal from the soil in this state shall be used for payment of interest and principal on certain revenue bonds which may be authorized by the 1975 Regular Session of the Legislature of Alabama to be issued by the Alabama State Docks Department; to provide for refunds of excess taxes commensurate with the issuance of additional bonds to be paid out of the proceeds from that tax; and to alter the provisions respecting the eventual termination of that tax."

By Mr. Manley, et al:

H. 1634. To amend Section 46, Title 51, Code of Alabama 1940, relating to the assessment of taxes so as to further provide for estimating the value of taxable property.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Hilliard, et al:

H. 978. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant ad valorem tax exemptions for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

Mr. Bank, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lutz:

H. 141. Providing that committees of dentists appointed or formed as Utilization Review and Quality Control Committees, Peer Review Committees and Professional Standards Review Committees shall not be deemed liable in damages for actions taken or recommendations made when acting in good faith on facts reasonably known to exist.

By Messrs. Johnson, Owens, Manley, Smith (C), Falkenburg, Robertson, Smith (B):

H. 536. To provide the means by which the mental health authorities in this state may request and obtain the return of persons committed to a mental facility in this state who have eloped into another jurisdiction within the United States and by which they may return persons committed to a mental facility in another state whose return is requested by the mental health authority of that state.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan:

H. 572. To provide that any county or municipality within this state shall have the authority to assist any other county or municipality within this state through assignment of firemen, policemen, or other law enforcement officers, on a voluntary basis, for undercover work to suppress criminal activities; to provide that any such county or municipality may pay all or any part of the hospital bills, doctors' bills, medical expenses and other related expenses incurred by any firemen, policemen, or other law enforcement officers in the performance of their duty in the county or municipality by which he is employed or in any other place either in or out of this state.

By Mr. Biddle, et al:

H. 467. To prohibit the false impersonation of a law enforcement officer and to prescribe punishment for same.

By Mr. Manley, et al:

H. 304. To amend Section 37 of Act No. 516, H. 769, Regular Session 1949 (Acts of Alabama 1949, p. 740), so as to regulate further traffic control signal legends.

By Mr. Andrews, et al:

H. 411. To provide for the release of inmates of the city jail at the discretion of the judge of recorders court at the time of sentencing, or at the discretion of the mayor of the city at any time during the term of the sentence of such inmates, for the purpose of allowing such inmates to work at gainful employment during the term of sentence, or for the purpose of allowing an inmate to further his education; to provide for the administration of the work release program provided by this Act; to provide for the adoption of rules, regulations and policies governing the release of inmates for work and educational release; to provide for the adoption of rules and regulations concerning the disbursement and deposit of earnings of inmates participating in the work release program.

By Mr. Lutz:

H. 142. To authorize and provide for minute entries in misdemeanor cases appealed from a city recorder's court, county court, mayor's court, police court or any municipal court, to the circuit courts or any other courts of record in Alabama.

By Mr. Lutz:

H. 143. To provide for privileged communications with clergymen.

By Mr. Kinsey:

H. 66. To require the granting, under certain circumstances, of either overtime pay or compensatory leave to law enforcement officers in the service of the state.

By Mr. Clark:

H. 677. To amend further Section 52 of Title 36, Code of Alabama 1940, as amended, relating to appearance upon arrest for misdemeanor, so as to provide for suspension of the driver's license driving privilege or privilege to obtain a driver's license of any person who wilfully violates his written bond to appear when such written bond is given to effectuate release from an arrest which was based upon the violation of any provision of Title 36.

By Mr. Manley, et al:

H. 1450. To provide for the attendance of witnesses from outside the State in criminal proceedings and to provide for the summoning of such witnesses and the arrest and service of process; and to provide for the repeal of all laws in conflict; and to provide an effective date.

By Messrs. Crowe, Shelton and Biddle:

H. 822. To exempt certain persons from jury duty during any regular or special session of the legislature.

By Mr. Littleton:

S. 595. Relating to motor vehicles; establishing the crime of drag racing; providing penalties for any violation and conviction of same and providing for the distribution of fines collected from violators of said crime.

By Messrs. Little and McMillan:

S. 836. To further regulate the granting of probation and the suspension of the execution of sentences in certain cases where any person is convicted of a crime in any court exercising criminal jurisdiction in this state.

By Mr. Littleton:

S. 584. To amend further Section 1 of Act No. 961, H. 426, Regular Session 1951 (Acts 1951, p. 1633, now appearing in Code of Alabama, Recompiled 1958, Title 36, Section 63), as amended, so as to provide that only a certified copy of a birth certificate or a passport may be used as a means of proof of age for minors when making application for a driver's license.

By Mr. Torbert:

S. 392. To provide that it shall be unlawful for any importer, manufacturer, dealer, collector or individual to sell, deliver, use or possess any "short-barreled shotgun" or "short-barreled rifle" within this state except as specifically authorized by any Sheriff consistent with public safety and necessity; and to prescribe penalty for violation.

By Mr. Torbert:

S. 816. To provide for application for review of felony sentences of five or more years, except death sentences, by a panel of three circuit judges appointed from time to time by the President of the Circuit Judges Association.

By Mr. Torbert:

S. 394. Relating to a landlord's lien on any personal property belonging to the tenant and placed or stored on such demised real estate without an affixed building; providing for the event of bankruptcy of the tenant.

By Mr. Waldrop:

S. 411. To amend Code of Alabama 1940, Title 45, Section 144, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

By Mr. Clemon:

S. 799. Amend Title 13, Section 261, which authorizes each circuit court judge to appoint a competent court reporter to perform the duties of official court reporter of the courts in the circuit over which said judge presides.

By Mr. Vacca:

S. 990. Providing that automobiles loaned by dealers to local boards of education for use in driver education programs may be operated with a

special driver education license plate, and no other plate shall be required, and that such vehicle shall be exempt from tax during the period of such use; local school boards to bear the cost of said license plates and cost of adequate insurance on such vehicle; further providing that automobile dealers furnishing such vehicles shall not be liable for any personal injury or property damage resulting from the use of such automobile while on loan; establishing penalty for any person to operate such a driver education automobile for any purpose other than to instruct student drivers.

By Mr. Bank:

S. 1160. To provide for the registration or regulation of persons who, as independent contractors, directly or indirectly, recruit or solicit any student to enter into an agency contract or professional sport services; to make any violation of the provisions hereof by such person a misdemeanor; to make any agency contract or professional sport services contract negotiated by any recruiting agent who violates either the requirement to register, or to file a copy of his or her registration certificate, void and unenforceable; to make any agency contract or professional sport services contract negotiated by a recruiting agent, who violates the requirement to file a copy of each such signed contract, void and unenforceable.

By Mr. Littleton:

S. 586. To amend further Title 36, Section 74, Code of Alabama 1940, as amended, which section relates to the cost of a duplicate, lost or destroyed driver's license so as to further regulate the cost of said duplicate license.

By Mr. McMillan:

S. 727. To provide for an automatic pay increase to state, county, and municipal employees who pass the certified professional secretary examination.

By Mr. McMillan:

S. 777. To provide for contribution among tortfeasors, release of tortfeasors and procedure enabling recovery of contribution.

By Mr. Littleton:

S. 593. Relating to crimes and offenses; making it a misdemeanor for any person intentionally to injure, disturb, or interfere with any emergency call box which is erected along a public street or highway, and making it a misdemeanor willfully to create a false alarm, and prescribing penalties for violating the provisions of this Act.

By Mr. Littleton:

S. 580. To require every trailer when being towed by a motor vehicle to have a safety chain attaching the trailer to the motor vehicle in addition to the regular trailer hitch and to prescribe penalties for violation of this act.

By Mr. McMillan:

S. 776. To amend Section 2, as amended, Section 3, as amended, Section 4, Section 8, as amended, and Section 16 of Act No. 865, H. 138,

1961 Regular Session (Acts of 1961, p. 1349, now appearing in Code of Alabama, Recompiled 1958, Title 46, Sections 331, 332, 333, 337, and 345), relating to the formation of unincorporated associations for the purpose of rendering professional service; so as to further regulate such associations.

By Mr. McMillan:

S. 735. To indemnify the Commissioner of the Board of Corrections, Deputy Commissioners, members of the Board of Corrections, and other officers, employees and agents of the Board of Corrections, for acts arising out of and performed in connection with their official duties in behalf of the State of Alabama.

By Mr. Foshee:

S. 565. To rename the Investigative and Identification Division within the Department of Public Safety and to create the Alabama Bureau of Investigation.

By Mr. Littleton:

S. 591. To authorize the Department of Public Safety to provide insurance coverage for reserve or auxiliary state troopers to the same extent as that provided for regular state troopers; to provide that costs of such insurance shall be paid by the Department of Public Safety in the manner provided by law; and to provide an effective date.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Shelby, Weaver, Bank, McMillan, Jones, Stewart, Roberts, Little, Clemon, Pearson and Ellis (With Substitute) (With Amendment):

S. 107. This act proposes several declarations of public policy; states that public business is the people's business and that the people have a right to be informed of the entire process whereby public decisions are reached in order that they may rationally exercise their power to vote.

Mr. Flippo, Chairman of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Flippo (With Substitute):

S. 1051. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

Mr. Flipppo, Chairman of the Standing Committee on Commerce, Transportation, and Utilities, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. St. John:

S. 1111. To authorize and regulate collection agencies, to define collection agencies, to prescribe the duties thereof, to describe the duties of the Superintendent of Banks in the connection therewith, to fix bonds for the operation thereof, and to set methods of operating in Alabama.

By Mr. McDonald (S):

S. 1239. To provide for the manufacture, distribution and sale of bread in one-half pound loaves within this state.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. McCluskey:

H. 1587. Proposing an amendment to the Constitution of Alabama relating to compensation of certain officers of Coosa County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. McMillan and Kinsey:

H. 1599. Relating to the employment of law enforcement officers in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing particularly for the employment of law enforcement officers, deputies, jailers and civilians in the sheriffs' offices or by municipalities in such counties.

By Mr. McNees (with notice and proof):

H. 1631. To create the District Court of Fayette County and to provide for its jurisdiction and functions, and to abolish the Juvenile Court of Fayette County and the County Court of Fayette County created by Act Number 27, Acts, 1963.

By Messrs. Holmes and Wyatt:

H. 1632. To provide an additional expense allowance for the probate judge of every county having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census.

By Mr. Teague:

H. 1637. To provide for the salaries and expense allowances of the circuit clerk and register of the circuit court in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

By Mr. Teague:

H. 1638. To provide for additional expense allowances for the tax assessor and tax collector in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

By Messrs. McCluskey and Teague:

H. 1639. To provide for the salaries of the clerical assistant to the district attorney and the court reporters in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

By Mr. Teague:

H. 1640. To provide for an expense allowance for the Sheriff in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for the salaries of certain deputy sheriffs in such counties and to repeal all conflicting statutes.

By Mr. McCluskey:

H. 1641. To provide for the salary of the judge of probate of all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

By Mr. McCluskey:

H. 1654. To provide for the payment of a county supplement to the salary paid by the state for the assistant district attorney in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

By Mr. McCluskey:

H. 1655. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for the salaries of the judges of the county courts and the clerk of the county courts that are located at a place other than the county seat in such counties and to provide for an expense allowance for said judges in such counties.

By Mr. McCulley (with notice and proof):

H. 1656. Relating to Washington County; to provide an additional expense allowance for members of the county school board.

By Messrs. Holley and Folmar:

H. 1657. To amend Act No. 274, S. 111, Second Special Session 1971 (Acts 1971, p. 4542), entitled, "An Act Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties," so as to provide further for the expense allowances of such deputy district attorneys.

By Messrs. McMillan and Kinsey:

H. 1692. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; authorizing the governing body to appropriate county funds to all organized fire departments of the county.

By Messrs. McMillan and Kinsey:

H. 1693. To further amend Section 6 of Act No. 2452, H. 2798, 1971 Regular Session (Acts of 1971, p. 3917), as amended, entitled, "An Act To provide courts in each county of the state having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said courts; providing for its officers, and their appointment; elections; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court of said court hereby established; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before this court," so as to increase the compensation of judges of the Inferior Court to \$9,600 per annum.

By Messrs. McMillan and Kinsey:

H. 1694. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 57,000 and not more than 61,000 according to the most recent federal decennial census.

By Messrs. McMillan and Kinsey:

H. 1695. Relating to all counties having a population not less than 57,000 nor greater than 61,000, according to the latest Federal decennial census; authorizing the county commission to set clerk hire for all county officers.

By Messrs. Kinsey and McMillan:

H. 1696. Relating to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; authorizing an additional uniform allowance for all uniformed personnel of the sheriff's department of each such county; and providing a clothing allowance for chief investigators and assistant investigators, the same to be paid from the county treasury.

By Mr. Baker:

H. 1699. To propose and provide for the submission to the qualified electors of the State of Alabama of an amendment to the Constitution of Alabama (a) authorizing each school district in Russell County to levy and collect a tax of eight mills on each dollar of taxable property in each district when approved by the qualified electors thereof; (b) providing that the tax year commencing October 1, 1982, is the first tax year for which each such district tax may be levied; and (c) repealing, effective October 1, 1982, the constitutional amendment known as CXXIV which authorizes an eight mill countywide tax for public school purposes in Russell County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Manley and Pegues:

H. 1713. Relating to all counties with populations of not less than 23,800 nor more than 23,925 inhabitants according to the most recent federal decennial census; providing for the salary of the jury commission.

By Mr. Smith (J) (with notice and proof):

H. 1743. Relating to Geneva County; relieving the tax assessor and tax collector from the duty of traveling from place to place within the county to assess property and collect taxes.

By Mr. McCluskey:

H. 1752. To create the office of supernumerary sheriff in all counties with a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent decennial census, and to prescribe the qualifications, duties and salary of such office.

By Mr. McCluskey:

H. 1753. Relating to all counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide for the compensation of certain county officers on a salary basis; to provide that the fees, commissions and allowances of such officers shall be deposited in the general fund of such counties; and to provide for the operation of the offices of such officers.

By Mr. Smith (J) (with notice and proof):

H. 1768. Relating to Geneva County; providing additional compensation for the official court reporter of the Thirty-third Judicial Circuit, payable by the county.

By Mr. Edwards (with notice and proof):

H. 1486. Relating to Wilcox County; to provide that the county governing body shall set the mileage allowance for the coroner.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Moore (O), Smith (C), and Waggoner (with notice and proof)
(With Substitute):

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Plaster (with notice and proof):

H. 1492. To authorize the Tax Assessor and the Tax Collector of Autauga County to appoint one Chief Deputy Clerk and additional Deputy Clerks, and to provide for the compensation of said Clerks, and to repeal Act No. 215 H. 647 approved September 30, 1959, Page 755 Volume 1 Acts of Alabama Regular Session 1959.

By Mr. Cross:

H. 1510. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census, to provide a total compensation for members of the jury commission and for the secretary of the jury commission in such counties.

By Messrs. Martin, Roberts, Cross and Drake (with notice and proof):

H. 1511. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

By Mr. Kinsey (with notice and proof):

H. 1512. To alter or rearrange the boundary lines of the Town of Gulf Shores, Baldwin County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

By Mr. Morris:

H. 1522. Providing for an additional fee for a pistol permit or license in any county having a population of not less than 33,500 nor more than 34,000 according to the most recent federal census and providing for the disposition of the proceeds from such fees.

By Messrs. Carothers, Smith (J) and Crawford (with notice and proof):

H. 1544. To amend Section 1 of Act No. 631, H. 1738, Regular Session 1973, (Acts 1973, p. 939) which relates to the compensation of certain officers of Houston County.

By Mr. McNees (with notice and proof):

H. 1546. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Belk in Fayette County, Alabama, so as to annex certain territory to the Town of Belk, in Fayette County, Alabama.

By Mr. Cross:

H. 1553. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes and raccoons; prescribing a penalty for violation of this Act.

By Messrs. Edwards and Plaster (with notice and proof):

H. 1555. Relating to Lowndes County; to authorize the county governing body to maintain roadways and driveways connecting private residences with public roads.

By Messrs. Edwards and Plaster (with notice and proof):

H. 1556. Relating to Lowndes County; to provide an additional expense allowance for the county solicitor.

By Messrs. Sparks and Drake:

H. 1557. Increasing the compensation of the bailiff of the 32nd judicial circuit to \$20.00 per day, the increase to be paid out of the county treasury.

By Messrs. Carothers, Smith (J) and Crawford (with notice and proof):

H. 1560. To amend Section 1 of Act No. 586, H. 1606, Regular Session 1973 (Acts 1973, p. 842) to increase the expense allowance of the clerk and the register of the circuit court of Houston County, Alabama.

By Messrs. Clark and Robertson (with notice and proof):

H. 1566. To alter, rearrange and establish commissioners' districts in Pickens County.

By Messrs. Jackson (F) and Smith (J) (with notice and proof):

H. 1571. Relating to Covington County; to outlaw the use of any commercial fishing nets in the public waters of said county for a period of five years from the effective date of this act; providing penalties therefor.

By Mr. Moore (O):

H. 1577. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

By Messrs. Merrill, Burgess and Shelton:

H. 1065. To provide that bonds, notes and other securities issued by certain public hospital corporations organized in any county having a population of not less than 95,000 nor more than 115,000, according to the most recent federal decennial census, shall be exempt from laws governing usury or prescribing or limiting interest rates.

By Messrs. Barron, Harris, Wyatt, Plaster, Holmes and Lewis (with notice and proof):

H. 1147. Relating to the fifteenth judicial circuit, authorizing the hiring of two secretaries, one for the criminal division and one for the civil

division of the circuit court, chosen by the presiding judge of the fifteenth judicial circuit, and pay by the county comprising the circuit.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Jolley (with notice and proof) (With Amendment):

H. 1189. To create the office of supernumerary sheriff for Blount County, Alabama and to prescribe the qualifications, duties, appointment, elections and salary of such office.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Drake and Sparks (with notice and proof):

H. 1213. Relating to Cullman County, providing an expense allowance for the members of the county board of education, which shall be in lieu of any expense allowances now payable to such members.

By Messrs. Drake and Sparks (with notice and proof):

H. 1215. Relating to Cullman County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

By Messrs. Merrill, Shelton and Burgess (with notice and proof):

H. 1237. To amend further Section 5 of Act No. 592, S. 456, Regular Session 1953, as amended, an act providing a civil service system for the City of Anniston (Acts 1953, Vol. II, p. 838), in relation to the manner of appointing the members of the civil service board and to their qualifications.

By Messrs. Lutz, Smith (B) and Moore (W) (with notice and proof):

H. 1262. Applying to Madison County, State of Alabama; to regulate massage parlors within Madison County; to make legislative findings concerning the operation of massage parlors within Madison County, and concerning the difficulty encountered by law enforcement officers in the enforcement of the law in connection with massage parlors; to define terms; to require a license from the Madison County Board of Health for the operation of any said business within the County; to provide health and sanitary requirements for the operation of massage parlors in Madison County; to provide standards for cleanliness in connection with massage parlors in Madison County; to prohibit the use of any massage parlor as a dormitory in Madison County; to prohibit massages by any licensee within said County except upon licensed premises; to prohibit massages behind closed doors; to require health examinations for persons to administer massages; to require that massage parlor premises in said County shall be open to the public and to law enforcement officers during the rendering of

any service in connection with same; to provide for automatic termination of a massage parlor license upon final conviction of certain offenses by any owner, manager, or supervisor of a massage parlor in said County; to prohibit any physical contact by a person of the opposite sex in connection with a massage at a massage parlor, bath parlor, or any similar type business in Madison County, to prohibit massaging, or in any way touching, the genital organs of another in connection with a massage or other service rendered by a massage parlor in Madison County; to prohibit any person from advertising or offering any massage or physical touching of the genital organs of another in connection with a massage in Madison County, to provide for the revocation of massage parlor licenses by the Madison County Health Officer after notice and hearing; to provide penalties for the violation of this act; to provide severability for the various sections, paragraphs, sentences, clauses and phrases of this act; and to provide that the act shall become effective immediately upon its passage and approval, or upon its otherwise becoming a law.

By Messrs. Jolly and Brindley:

H. 1277. To amend further Act No. 37, S. 69, Special Session 1964 (Acts of 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

By Mr. Smith (J) (with notice and proof):

H. 1295. To provide for additional compensation for the official Court Reporters of the Twentieth Judicial Circuit of Alabama, for the performance of their official duties.

By Messrs. Barron, Holmes, Lewis and Harris (with notice and proof):

H. 1335. To amend Act No. 356 of the Legislature of Alabama of 1973, to improve the benefits for retired employees by authorizing and ratifying the payment of premiums for life, health and hospitalization insurance for retired employees.

By Messrs. Barron, Lewis, Wyatt, Plaster and Harris (with notice and proof):

H. 1383. To amend Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), which creates in the City of Montgomery in connection with the regular organized and paid fire department of the City of Montgomery, the Montgomery Fire Fighters Pension Fund; amending Sections 6, 9, 12, 15, 17 and 24 of said act so as to authorize the trustees of the Fund, in their discretion, to select and appoint a custodian of the assets of the Fund to serve in lieu of the Comptroller of the City and to select and appoint an investment trustee and to delegate to such investment trustee certain managerial powers relative to the handling, investment and reinvestment of such funds; to regulate further the issuance of vouchers on the fund; to increase retirement benefits from such fund; to provide for the return of contributions upon the death of a member who does not leave a surviving spouse or surviving children under eighteen years of age; and to give retroactive effect to some of the provisions of this act.

By Mr. McCluskey (with notice and proof):

H. 1390. Relating to Coosa County, providing for a clerk hire allowance not to exceed \$5,000 per year for the office of judge of probate of said county.

By Messrs. Edwards and Plaster:

H. 1413. Relating to counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to allow the governing body to set the mileage allowance for the coroner.

By Messrs. Carothers, Crawford and Smith (J):

H. 1421. Relating to all counties having populations of not less than 56,500, nor more than 59,000 inhabitants according to the most recent federal decennial census; increasing the compensation of the members of the jury commission.

By Messrs. Greer and Coburn (with notice and proof):

H. 1422. Relating to Lauderdale County; providing further for the election of the members of the county board of education.

By Messrs. Smith (M), Turnham, Higginbotham and Morris (with notice and proof):

H. 1458. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) as amended, which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices, so as to increase the salary of certain officers.

By Messrs. Lutz, Gregg, Smith (B), Albright, Riddick and Moore (W):

H. 1464. Proposing an amendment to the Alabama Constitution that will allow the Legislature to pass local legislation applicable to Madison County to change the method prescribed by law for giving notice to delinquent taxpayers in Madison County of their failure to pay taxes assessed against any property which is assessed to them and to further change the notice required to be given them prior to the sale for taxes of said property and to further change the method for issuing decrees for the sale of land and the trials held to determine whether such sales should be ordered and to change the method of giving notice to delinquent property owners to show cause why a decree of sale should not be rendered against them and to further change the method regarding the sale of said property and the report of the amount of taxes collected from said sale.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Lutz, Gregg, Smith (B), Albright, Riddick and Moore (W) (with notice and proof):

H. 1465. Relating to Madison County; to provide that the notice required to be given to delinquent taxpayers prior to the sale for taxes of their property be given by publication; to provide that trials be held to determine whether such sale should be ordered; to provide a method to give notice to delinquent property owners to show cause why a decree of sale should not be rendered against them; to provide a method for the sale of said property and the report of the amount of taxes collected from said sale.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1481. Relating to Walker County; levying a 4 mill ad valorem tax to be paid to the Walker County Board of Education and distributed by

the Walker County Board of Education in accordance with amendment No. 204 to the 1901 Constitution of the State of Alabama; providing for the purposes to which the funds provided by said tax are to be put; further providing that such tax shall take effect upon being approved by the voters of said county in an election to be called by the governing body of Walker County, Alabama and pursuant to the Constitution of Alabama and the law relating thereto.

By Messrs. Lutz, Riddick, Smith (B), Gregg, Moore (W), Albright (with notice and proof):

H. 159. Relating to Madison County, to set standards for judicial officers in said county for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

By Mr. McCulley (with notice and proof):

H. 170. Relating to Washington County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Washington County.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sandusky, Sonnier, Callahan and Cooper (With Substitute):

H. 209. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of two investigators; to prescribe their authority and powers and prescribe their compensation.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Sonnier, Sandusky, Callahan and Cooper:

H. 210. To amend further Act No. 172, H. 187, 1st Special Session 1964, as further amended which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney and the two Legal Stenographers and the addition of a Legal Stenographer in such counties.

By Messrs. Sonnier, Malone, Kennedy, Sandusky, LeFlore and Cooper:

H. 355. To amend further section 1 of Act No. 192, H. 262 First Special Session 1964 (Acts 1964, P. 256) an Act providing an annual allowance for purchasing uniforms for deputy sheriffs in counties having

populations of not less than 300,000 nor more than 500,000 so as to regulate further the amount of such allowance.

By Messrs. Sandusky, Sonnier and Kennedy:

H. 363. Relating to counties having a population of not less than 300,000, nor more than 500,000 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners, to provide that the provisions of this Act shall be effective upon passage.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan (With Amendments):

H. 377. To provide retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census, between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Morris:

H. 421. To allow prospective jurors to be excused without the presence of the defendant in all judicial circuits of Alabama having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census.

By Mr. Morris:

H. 424. Relating to the Fifth Judicial Circuit of Alabama; to provide for an investigator who shall be furnished with an automobile and other equipment necessary for the performance of investigative duties; to prescribe the investor's powers, duties and authority and to fix his compensation and provide for the payment thereof.

By Mr. Morris:

H. 426. Relating to the method of giving notice of the requirement of attendance of jury service in all judicial circuits of Alabama, having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census.

By Mr. Morris:

H. 428. To apply only in the circuit courts of all judicial circuits having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census; to provide that in such courts the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and

to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Glass, Johnstone, LeFlore, McCulley, Sonnier, McMillan and Malone (With Substitute):

H. 589. To require the members of the board of registrars in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent or any subsequent decennial census to visit each legislative house district for the purpose of accepting forms for the reidentification of voters and for the purpose of accepting applications for the registration of voters; to provide for the designation of places to be visited; to provide further for the compensation and mileage of members of the board.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lutz, Riddick, Albright, Gregg, Moore (W) and Smith (B) (with notice and proof):

H. 751. To authorize and empower the director of the Madison County License Department to charge and collect a fee of \$1.00 for the performance of duties relative to the recording of the transfer of ownership of motor vehicles as prescribed in Title 51, Section 706, Code of Alabama 1940, as last amended; to provide that all fees so collected shall be the property of the county and shall be paid into the general fund of the county; to repeal conflicting laws.

By Messrs. Albright, Lutz, Moore (W), Riddick, Gregg and Smith (B) (with notice and proof):

H. 766. To authorize the Madison County Commission to pay the expenses of defending lawsuits brought against employees of Madison County, Alabama, resulting from the performance of any work while in the employment of Madison County.

By Messrs. Riddick, Lutz, Smith (B), Albright, Gregg and Moore (W) (with notice and proof):

H. 770. To authorize Madison County, Alabama, to levy a business or privilege fee upon any business, vocation, occupation, calling or profession for which a business or privilege fee or tax is not required for either the State of Alabama or the county by the laws of the State of Alabama, and to limit the amount of any such business or privilege license fee.

By Mr. Wyatt:

H. 824. Relating to counties having populations of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census, to provide for the payment of benefits to the employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such counties who are killed in the performance of their official duties, and repealing all conflicting laws.

By Messrs. Lee and Owens:

H. 915. To create a solicitor's fund in the Sixth Judicial Circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in the Sixth Judicial Circuit of Alabama; to authorize the county governing body to appropriate funds from the general fund to be placed in the solicitor's fund; and to authorize expenditures of said fund by the District Attorney of the Sixth Judicial Circuit for law enforcement and the discharge of the duties of his office.

By Mr. McCulley (with notice and proof):

H. 920. To provide for additional expense allowances for certain public officials in Washington County.

By Messrs. Crawford and Whatley:

H. 979. Relating to the third judicial circuit; authorizing the district attorney to appoint an additional secretarial assistant and providing for the compensation of such secretary.

By Messrs. Carothers and Crawford (with notice and proof):

H. 1064. To create the office of license commissioner in Houston County; to provide for his appointment and future election; to fix his compensation and allowance, prescribe his duties, define his powers and provide for the operation of his office.

By Mr. Jones:

S. 155. To provide in all counties having populations of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census and in the largest municipality in any such county for the establishment of a joint city-county transportation pool; to provide for the operation of the transportation pool by a joint city-county division of service; to provide for the establishment of a transportation pool revolving fund and to authorize the city and county governing body to appropriate funds to the revolving fund; and to provide for the transfer of automobiles to the joint city-county division of service for use in the transportation pool.

By Mr. Owen (with notice and proof):

S. 753. Relating to the governing body of Baldwin County, amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

By Mr. Flippo (with notice and proof):

S. 815. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained, and repaired by the State Highway Department, by amending Sections 1, 2, and 5 thereof; providing that the county governing body shall have and exercise the power to set up projects within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with county governing body of Lauderdale County on a quarterly basis and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

By Mr. Shelby (with notice and proof):

S. 859. To amend Section 10 of Act No. 249, S. 291, 1947 Regular Session (Local Acts of Alabama 1947, p. 174) entitled "An Act to provide for the City of Tuscaloosa a Civil Service System governing the appointment, removal, salaries, tenure and official conduct of employees of the City, defining violations of the Act, and imposing penalties for violation;" so as to remove the provision requiring applicants for employment to pay the city clerk a \$5.00 fee.

By Mr. Shelby (with notice and proof):

S. 860. To amend Section 7 of Act No. 357, S. 468, 1949 Regular Session (Acts of 1949, p. 524) entitled "An Act To provide for the government and control by Civil Service regulations of certain employees and classes of employees of Tuscaloosa County, Alabama, and to provide for a Civil Service board in said county and to fix its duties, authority, powers and method of compensation;" so as to eliminate the requirement that an applicant for employment pay a fee of \$5.00.

By Mr. Wilson:

S. 947. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

By Mr. Shelby:

S. 1096. To amend Act No. 91, S. 70, of the 1975 Third Special Session of the Legislature of Alabama to provide for secretarial, legal, clerical or administrative assistants for each circuit judge of all judicial

circuits composed of only one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; and to fix the term of office and prescribe the pay for such assistants; and to provide for the payment of the salaries of such assistants out of the general fund of the county composing said circuits.

By Mr. Adams (with notice and proof):

S. 1109. To amend Act No. 360, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971) and Section 3 and Section 11 (c) thereof, in particular, which acts create and establish the Houston County Court of Houston County, Alabama in order to repeal and abolish the jurisdiction, power and authority of the court to hear and decide cases and matters relating to divorce, domestic relations, separate maintenance, custody of children, desertion and non-support, juveniles and those actions and matters relating to juveniles and also to establish the qualifications of such judge of said court so as to abolish the requirement that the judge of the court must have been licensed to practice law in Alabama for five years and to provide for the transfer of such cases herein above enumerated, which are pending in the court upon the effective date of the passage of this bill, to the Circuit Court of Houston County, Alabama.

By Messrs. Little and Torbert (with notice and proof):

S. 1057. To permit banks now or hereafter situated in Chambers County within beats or precincts seven and thirteen to establish, maintain or operate branch banks and branch offices within limits of beats or precincts seven and thirteen in said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

By Mr. St. John (with notice and proof):

S. 1113. To provide for branch banking in Winston County.

By Mr. Jones (with notice and proof):

S. 1114. Relating to the City of Montgomery in Montgomery County; to provide that the public street known as Fieldcrest Drive may not be constructed as a grade level crossing where it intersects the Central of Georgia railroad tracks; if Fieldcrest Drive is to be constructed as a four (4)-lane street in either direction from said railroad tracks, provided however, that Fieldcrest Drive may be opened as a grade level crossing if said street remains as a two (2)-lane street from either direction of the said intersection.

By Mr. Flippo:

S. 1125. Relating to all counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing that an unincorporated community shall not be incorporated if the territory or any part of its corporate limits lies within the police jurisdiction of the corporate limits of any existing city or town within such county.

By Mr. Mitchell (with notice and proof):

S. 1132. Relating to Crenshaw County; to provide for the county solicitor's salary.

By Mr. Mitchell (with notice and proof):

S. 1131. Relating to Crenshaw County; to provide an additional expense allowance to the county solicitor.

By Mr. Stewart:

S. 1134. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

By Mr. Stewart:

S. 1135. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Fine:

S. 1142. Relating to counties with a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to allow the collection of a solicitor's fee by the county in all appropriate cases of the county court whether or not the district attorney is present at the hearing of the case.

By Mr. Fine:

S. 1143. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

By Mr. Fine:

S. 1149. Relating to the thirty-fourth judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for a secretarial assistant for the office of district attorney of said judicial circuit.

By Messrs. Gilmore and Littleton:

S. 1150. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to appropriate not more than 1¢ per person according to the 1970 federal decennial census for celebrating the bicentennial observance during the fiscal year 1975-76.

By Messrs. Gilmore and Littleton:

S. 1151. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to pay \$5.00 to each person attending an official school for election officials and who serve as an election official in the next election following such school.

By Mr. Stewart:

S. 1152. To authorize the county commission of all counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census to make expenditures from the county general fund for bi-centennial purposes.

By Mr. Fine:

S. 1159. Relating to all counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent or any subsequent federal decennial census; to provide that any probate judge who has served 15 or more years may elect to assume certain additional duties for extra compensation upon termination of office or retirement.

By Mr. Fine:

S. 1161. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide for an additional expense allowance for the court reporter of the circuit court of said counties.

By Messrs. Little and Torbert:

S. 1164. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the 37th Judicial Circuit.

By Messrs. Little and Torbert:

S. 1165. Relating to any judicial circuit composed of a county having a population between 60,000 and 65,000 inhabitants according to the most recent or any subsequent federal decennial census; to provide for the fixing of fees of official court reporters of such judicial circuit to be taxed as court costs.

By Mr. Stewart:

S. 1173. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts (with substitute):

S. 1174. To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having

populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census, the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 1176. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for certain education officials in such counties.

By Mr. Perry (with notice and proof):

S. 1178. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

By Mr. McDonald (S) (with notice and proof):

S. 1190. To repeal Act No. 829, H. B. 1454, Regular Session 1973, (Acts 1973, p. 1325), entitled, "An Act To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1191. Relating to Marshall County; authorizing savings and loan associations to open, establish, operate and maintain branch offices.

By Mr. McDonald (S) (with notice and proof):

S. 1192. To repeal Act No. 1632, H. B. 2379, Regular Session 1971, (Acts 1971, p. 2791), entitled, "An Act To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1193. Relating to Marshall County; regulating and prescribing the qualifications of persons engaging in the Bail Bond business.

By Mr. McDonald (S) (with notice and proof):

S. 1194. To repeal Act No. 114, H. B. 159, Special Session 1962 (Acts 1962, p. 148), entitled, "An Act To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for

the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act," and all acts amendatory thereof.

By Mr. McDonald (S) (with notice and proof):

S. 1195. To repeal Act No. 1340, H. B. 2157, Regular Session 1971, (Acts 1971, p. 2288), entitled, "An Act To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars."

By Mr. McDonald (S) (with notice and proof):

S. 1196. Relating to Marshall County; authorizing the county governing body to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars; and providing for the effective date of its provisions.

By Mr. McDonald (S) (with notice and proof):

S. 1197. To repeal Act No. 1336, H. B. 2153, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies."

By Mr. McDonald (S) (with notice and proof):

S. 1198. Relating to Marshall County; providing that the jury commission and board of registrars be allowed 10 extra authorized meeting days each year and providing further for an expense allowance for the members of said bodies.

By Mr. McDonald (S) (with notice and proof):

S. 1199. To repeal Act No. 1636, H. B. 2383, Regular Session 1971, (Acts 1971, p. 2793), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws."

By Mr. McDonald (S) (with notice and proof):

S. 1200. Relating to Marshall County; providing further for clerk-hire allowances for certain county officers.

By Mr. McDonald (S) (with notice and proof):

S. 1201. To repeal Act No. 1644, H. B. 2391, Regular Session 1971, (Acts 1971, p. 2798), entitled, "An Act To increase the compensation of the judge of county court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1202. To repeal Act No. 110, H. B. 151, Third Special Session 1971, (Acts 1971, p. 4334), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from the county funds, for the register of the county court in any such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971."

By Mr. McDonald (S) (with notice and proof):

S. 1203. Relating to Marshall County; providing additional compensation, payable from county funds, to the register of the circuit court for serving as register of the county court.

By Mr. McDonald (S) (with notice and proof):

S. 1204. To repeal Act No. 157, H. B. 173, Third Special Session 1971, (Acts 1971, p. 4401) entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most decent (sic) federal decennial census; to provide compensation for the court reporter of the county court in such counties."

By Mr. McDonald (S) (with notice and proof):

S. 1205. Relating to Marshall County; providing additional compensation for the court reporter of the county court.

By Mr. McDonald (S) (with notice and proof):

S. 1206. To repeal Act No. 1648, H. B. 2395, Regular Session 1971, (Acts 1971, p. 2800), entitled, "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body."

By Mr. McDonald (S) (with notice and proof):

S. 1207. Relating to Marshall County; providing further for the expense allowances of the chairman and members of the county governing body.

By Mr. McDonald (S) (with notice and proof):

S. 1208. To repeal Act No. 1351, H. B. 2168, Regular Session 1971, (Acts 1971, p. 2296), entitled, "An Act Providing additional allowances for clerk hire fund for the office of probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1209. To repeal Act No. 1114, S. B. 943, Regular Session 1973, (Acts 1973, p. 1876), entitled, "An Act relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

By Mr. McDonald (S) (with notice and proof):

S. 1210. To repeal Act No. 277, S. B. 171, Third Special Session 1971, (Acts 1971, p. 4553), entitled, "An Act Relating to counties having a

population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties."

By Mr. McDonald (S) (with notice and proof):

S. 1211. Relating to Marshall County; providing an additional expense allowance for the probate judge.

By Mr. McDonald (S) (with notice and proof):

S. 1212. To repeal Act No. 1640, H. B. 2387, Regular Session 1971, (Acts 1971, p. 2795), entitled, "An Act To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit; and to fix the amount and method of payment thereof."

By Mr. McDonald (S) (with notice and proof):

S. 1213. Relating to Marshall County; providing a supplemental salary to the circuit judges of the judicial circuit having jurisdiction in said county.

By Mr. McDonald (S) (with notice and proof):

S. 1214. To repeal Act No. 1637, H. B. 2384, Regular Session 1971 (Acts 1971, p. 2794), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000 according to the last or any subsequent federal decennial census; to repeal conflicting general, local, or special laws."

By Mr. McDonald (S) (with notice and proof):

S. 1215. Relating to Marshall County; providing for the compensation of the register of the circuit court.

By Mr. McDonald (S) (with notice and proof):

S. 1216. To repeal Act No. 1337, H. B. 2154, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1217. Relating to Marshall County; to regulate the amount of sick leave with pay allowed certain school bus drivers.

By Mr. McDonald (S) (with notice and proof):

S. 1218. To repeal Act No. 1355, H. B. 2172, Regular Session 1971, (Acts 1971, p. 2298), entitled "An Act To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1219. To repeal Act No. 2132, H. B. 2578, Regular Session 1971, (Acts 1971, p. 3421), entitled "An Act Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the

most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act."

By Mr. McDonald (S) (with notice and proof):

S. 1220. To repeal Act No. 204, H. B. 883, Regular Session 1973, (Acts 1973, p. 238), entitled, "An Act Relating to the office of the Sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the Sheriff's office and their salary."

By Mr. McDonald (S) (with notice and proof):

S. 1221. Relating to the office of the sheriff of Marshall County; fixing the compensation of the Sheriff's deputies and other employees and providing for the manner of their payment; authorizing the sheriff to receive the allowances prescribed by law for feeding prisoners in jail and requiring him to make monthly statements relative thereto; and repealing conflicting laws, specifically Act No. 673, S. 800, Regular Session 1969 (Acts 1969, p. 1206).

By Mr. McDonald (S) (with notice and proof):

S. 1222. To repeal Act No. 1349, H. B. 2166, Regular Session 1971, (Acts 1971, p. 2294), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the Sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

By Mr. McDonald (S) (with notice and proof):

S. 1223. Relating to Marshall County; fixing the fee for the issuance of a pistol permit by the sheriff and providing for the deposit of such fees in a sheriff's fund.

By Mr. McDonald (S) (with notice and proof):

S. 1224. To repeal Act No. 1338, H. B. 2155, Regular Session 1971 (Acts 1971, p. 2287), entitled, "An Act Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer."

By Mr. McDonald (S) (with notice and proof):

S. 1225. Relating to Marshall County; providing the county superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided such officer.

By Mr. McDonald (S) (with notice and proof):

S. 1226. To repeal Act No. 1353, H. B. 2170, Regular Session 1971, (Acts 1971, p. 2297), entitled, "An Act Providing additional expense allowances for the tax assessor of all counties having a population of not

less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1227. To repeal Act No. 1347, H. B. 2164, Regular Session 1971, (Acts 1971, p. 2293), entitled, "An Act Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

By Mr. McDonald (S) (with notice and proof):

S. 1228. To repeal Act No. 1357, H. B. 2174, Regular Session 1971 (Acts 1971, p. 2299), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

By Mr. McDonald (S) (with notice and proof):

S. 1229. Relating to Marshall County; authorizing the county governing body to contribute county funds for the use of any non-profit volunteer rescue squad operating within said county.

By Mr. McDonald (S) (with notice and proof):

S. 1230. To repeal Act No. 963, H. B. 2044, Regular Session 1973 (Acts 1973, p. 1472), entitled "An Act Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials."

By Mr. McDonald (S) (with notice and proof):

S. 1231. To repeal Act No. 1048, S. B. 877, Regular Session 1973 (Acts 1973, p. 1660), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines."

By Mr. McDonald (S) (with notice and proof):

S. 1232. Relating to Marshall County; requiring the use of voting machines at all polling places; allowing the designation of polling places; permitting electors to register votes on any voting machine at the designated voting places; providing for employment of a custodian of voting machines, the procedure for his appointment, salary and bond; allowing candidates in an election the right to designate a representative to

be present at the opening of each voting machine for tabulation of results; and allowing candidates the right to demand in writing to the body in charge of ballot boxes to break seals for recanvass of votes in voting machine.

By Mr. McDonald (S) (with notice and proof):

S. 1233. To repeal Act No. 862, H. B. 1189, Regular Session 1969 (Acts 1969, p. 1570), entitled "An Act To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation."

By Mr. McDonald (S) (with notice and proof):

S. 1234. To authorize the sheriff of Marshall County to make certain expenditures without approval of the county commission and to prescribe regulations relative to such expenditures.

By Mr. McDonald (S) (with notice and proof):

S. 1235. Relating to Marshall County; fixing the compensation of the Judge of the County Court.

By Mr. McDonald (S) (with notice and proof):

S. 1236. To provide for an increase of compensation to be paid by Marshall County for the Court Reporters of the 27th Judicial Circuit.

Mr. Roberts, Chairman of the Standing Committee on Local Government, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Littleton:

S. 508. To require every county and municipality in the state to provide a civil service merit system governing its law enforcement officers or to enter into an agreement for participation in the state merit system.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 1184. Relating to all counties having a population of not less than 23,900 nor more than 24,450; providing for an additional expense allowance for all sheriffs to be paid by the county governing bodies of such counties.

By Mr. Edwards (with notice and proof):

S. 1185. To amend Act No. 324, H. 784, Regular Session of 1965 (Acts 1965 Regular Session, p. 443), which Act establishes a merit system

for the City of Decatur, amending Section 15 of said Act so as to provide for leaves of absence for employees to seek election to public office in Morgan County, and amending Section 21 of said Act so as to limit the prohibited political activities which city employees can engage in to such activities in Morgan County.

By Mr. Edwards (with notice and proof);

S. 1189. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

By Mr. Perry:

S. 1240. Relating to all counties having a population of not less than 24,900 nor more than 25,150 inhabitants according to the most recent federal decennial census; to abolish all supernumerary offices and positions in such counties and to repeal all conflicting statutes.

Mr. Fine, Chairman of the Standing Committee on Banking, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

S. 917. To exempt waterworks boards now or hereafter organized under the provisions of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Messrs. Gafford and Waggoner:

H. 1194. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama which section provides for the issuance of revenue bonds by a board of water and sewer commissioners, by changing the rate of interest that such bonds may bear.

By Mr. Powell:

S. 1166. Relating to banks and branch banking: To permit the establishment of branch banks at any location within the county in which a bank has its principal place of business with the consent and approval of the Superintendent of Banks and to repeal all laws or parts of laws in conflict with this Act.

By Messrs. Crowe, Morris and Merrill:

H. 948. To further amend the Code of Alabama 1940, Title 5, Section 81, which relates to legally required reserves of banks within the state, so as to add penalties for the violation thereof.

By Messrs. Crowe, Morris and Merrill:

H. 949. To authorize the Superintendent of Banks to expand the banking powers of Alabama banks or the powers of Alabama savings and loan associations or the powers of Alabama credit unions; to provide that any such additional powers shall not in the case of banks authorize activities which are not properly incident to the business of banking, and in the case of savings and loan associations or credit unions that such

additional powers shall not authorize them to offer financial services now prohibited to them; to provide that no bank, savings and loan association and no credit union having their principal place of business outside of Alabama may engage in any such activities in Alabama unless the Superintendent of Banks and the appropriate regulatory authority outside of Alabama have entered agreements authorizing Alabama and non-Alabama institutions to exercise in Alabama and in such other jurisdiction reciprocal rights; to authorize the Superintendent of Banks to issue appropriate regulations; and to require Alabama banks, Alabama savings and loan associations, Alabama credit unions and any similar foreign entity to secure prior written permission of the Superintendent of Banks before exercising such additional powers in Alabama; to provide that the provisions of this Act are cumulative and severable; and to provide for an effective date.

By Mr. Fine:

S. 1167. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

BILLS RE-REFERRED

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in session, had acted on the Bills, H. B.'s 203, 1461 and 118, and ordered same returned to the Senate with the recommendation that said Bills be re-referred to the Standing Committee on Finance and Taxation.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 203, 1461 and 118, re-referred to the Standing Committee on Finance and Taxation.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

H. 1534. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional expense allowance for the circuit clerk and register.

And said Bill, H. B. 1534, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flipppo, Foshee, Givhan, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1750. To amend Sections 4 and 5 of Act No. 171 enacted at the 1965 Regular Session of the Legislature of Alabama to provide that of the proceeds from Pickens County sales and use taxes levied thereby the first \$120,000 in each fiscal year shall be paid over to Pickens County Hospital Association and used by it solely for paying the costs of acquiring, constructing, equipping, operating, and maintaining a new public hospital facility in or near the Town of Carrollton, Alabama, that one-half of the remainder of said proceeds from said taxes shall be paid over to the Pickens County Hospital Association for the operation and maintenance of such new public hospital facility, and that one-half of the remainder of said proceeds from said taxes shall be paid over to the Pickens County Commission for use by it for public health purposes; to order an election in Pickens County on the question of whether Pickens County Hospital Association should consolidate public hospital facilities and services in such county through the closing of the existing hospitals at Aliceville and Reform and the construction and equipment of a new public hospital facility in or near the Town of Carrollton, Alabama; and to provide that this Act shall become effective only if a majority of those voting at said election vote in favor of the consolidation of such public hospital facilities and services.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

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Nays:

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The Bill:

H. 1751. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent and paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940 and the amendments thereto; providing for the collection thereof; and providing that one-half of the revenues arising from any levy

made by said governing body of said county under authority of this act shall be paid to the Pickens County Hospital Association for the operation and maintenance of public hospitals in said county and the remaining one-half of such revenue shall be paid to the Pickens County Commission for use by it for public health purposes in said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 858. To provide for supplementing the salaries or compensation paid to retired or supernumerary circuit judges in the Thirty-First Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 887. To establish a system of regulation and control of coal surface mining and reclamation; a declaration of public policy and legislative intent; a section defining key provisions of this act; the creation and establishment of the Alabama Surface Mining Reclamation Commission with powers and authority; establishes necessity of licenses and qualifications for obtaining licenses, and provides for permits with a right to surface mine and proper application therefor; requires a reclamation plan and map; provides for removal of certain facilities; establishes blasting regulations and setback requirements; sets application fees, bond of operator, insurance requirement, sufficiency of surety, cancellation by surety and suspension of operator's permit;

provides for posting of lands; provides for entry upon lands for inspection; provides for reporting of certain information by certain purchasers of coal and provides penalties for the failure to comply; provides for confidentiality of certain records; establishes violations, administrative procedures, procedure for appeals from orders of the Commission, provides for legal remedies, enforcement provisions; and penalties; establishes the Alabama Surface Mining Reclamation Fund; provides for citizens' suits; provides for rule making procedures; provides savings and conforming provisions and establishes the effective date and orderly transition to said new act and repeals the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only; provides for approval of certain coal leases; provides for severability; sets effective date of the act.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. St. John:

S. 1242. Relating to Cullman County: providing further for the government of the county; abolishing the county commission created by Act No. 167, H. 422 of the Regular Session of 1959, and creating a new commission in lieu thereof; providing for the selection of the members of such commission; prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission hereby created, and for the powers and duties of the individual members thereof; providing for and regulating county purchasing and the custody and use of certain county property; divesting the highway department of certain county functions and duties in relation to roads and bridges in Cullman County, heretofore transferred to it, and revesting such functions in the county governing body of Cullman County, providing, however, for the construction, maintenance and repair of county roads on the unit basis; providing for the transfer of certain funds, equipment, material and personnel from the state highway department to the commission hereby created; providing for the payment of salaries of certain county employees; providing that this Act shall become effective only upon a referendum at which two questions shall be submitted: 1. Shall Cullman County take over the construction of its own roads and bridges? and 2. Shall the present governing body of Cullman County be abolished and a new governing body be created as prescribed in this Act?

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County: providing further for the government of the county; abolishing the county commission created by Act No. 167, H. 422 of the Regular Session of 1959, and creating a new commission in lieu thereof; providing for the selection of the members of such commission; prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission hereby created, and for the powers and duties of the individual members thereof; providing for and regulating county purchasing and the custody and use of certain county property; divesting the highway department of certain county functions and duties in relation to roads and bridges in Cullman County, heretofore transferred to it, and revesting such functions in the county governing body of Cullman County, providing, however, for the construction, maintenance and repair of county roads on the unit basis; providing for the transfer of certain funds, equipment, material and personnel from the state highway department to the commission hereby created; providing for the payment of salaries of certain county employees; providing that this Act shall become effective only upon a referendum at which two questions shall be submitted: 1. Shall Cullman County take over the construction of its own roads and bridges? and 2. Shall the present governing body of Cullman County be abolished and a new governing body be created as prescribed in this Act?

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall become operative only if approved by a majority of the electors of Cullman County as hereinafter provided voting in a referendum, which shall be held on the date of the first state-wide election held after adjournment of the 1975 Regular Session of the legislature for the purpose of voting on amendments to the Constitution. The governing body of Cullman County shall order and provide for the holding of the referendum on such date, and for canvassing the results thereof. On the ballot to be used at the election two questions shall be stated. Question No. 1 shall be substantially as follows: "Do you favor having the county commission or like governing body of Cullman County exercise jurisdiction over the construction, repair and maintenance of county roads and bridges instead of the State Highway Department? Yes () No ()." Question No. 2 shall be stated substantially as follows: "Do you favor abolishing the present governing body of Cullman County and creating in lieu thereof a governing body as prescribed in this Act (Act No. _____, S. _____ of the Regular Session of the Legislature of 1975)? Yes () No ()." If a majority of the votes cast at the election on question No. 1 are "Yes," the provisions of Sections 1 through 20 and Sections 38 and 39 become effective on the first Tuesday after the second Monday in January, 1977. If a majority on question No. 1 are "No," this Act shall have no further force and effect. If a majority of the votes cast on question

No. 2 are "Yes," and a majority of the votes on question No. 1 were "Yes," then this entire Act shall become effective on the first Tuesday after the second Monday in January, 1977. If the majority of the votes on question No. 1 were "Yes," and the majority of the votes on question No. 2 were "No," then Sections 21 through 37 of this Act shall have no further force or effect and the remainder of the Act shall become effective. The result of the election shall be certified to the Secretary of State and to the State Highway Director within ten days.

Section 2. The Cullman county commission or like governing body of Cullman County shall be solely responsible for the construction, repair and maintenance of the roads and bridges in the county; but all such construction, repair and maintenance shall be done on the basis of the county as a unit, without regard to district or quadrant lines, and under the supervision of an engineer or other qualified road supervisor. The county governing body shall have all the powers and jurisdiction with respect to county roads and bridges which are or which hereafter may be vested in or required of county governing bodies by the general laws of this state, or vested in or required of the governing body of Cullman County by local law; and except as may be otherwise provided herein members of the county governing body of Cullman County shall perform all the duties and services and shall exercise all the powers and authority with respect to the construction, repair and maintenance of county roads and bridges which are or hereafter may be provided by law for members of county governing bodies.

Section 3. Any unexpended monies remaining in the fund required by law to be maintained by the state highway department for use in the construction repair and maintenance of county roads and bridges in Cullman County shall be paid over to the county governing body of Cullman County except as otherwise provided by this Act. Thereafter, all funds and monies designated by law for use in the construction, repair and maintenance of county roads and bridges in Cullman County to which Cullman County may be entitled, whether from the proceeds of the state gasoline tax, the motor vehicle license tax, or other state tax, or any federal aid accruals, or from any other source whatsoever, shall be paid to the county governing body of Cullman County by the appropriate county or state official.

Section 4. The state highway department shall transfer and turn over to the governing body of Cullman County road equipment, machinery and supplies of like kind and equal in value to the road equipment, machinery and supplies which Cullman County was required to transfer and turn over to the state highway department in accordance with legislation enacted prior to the adoption of this Act, which legislation required the state highway department to construct, repair and maintain roads and bridges in Cullman County.

Section 5. All persons employed by the state highway department in the construction, repair and maintenance of county roads and bridges in Cullman County, upon adoption of this Act shall cease to be employees of the state highway department, shall no longer be subject to the state merit system law, and shall continue to be employed by the county in the construction, repair and maintenance of county roads and bridges in the county, subject to approval of the county governing body.

Section 6. Any contract for the construction, repair or maintenance of county roads and bridges in Cullman County entered into by the state

highway department prior to the adoption of this Act shall remain in full force and effect until the returns thereof shall have been complied with.

Section 7. All outstanding financial obligations which were incurred prior to the adoption of this Act for the construction, repair, or maintenance of county roads and bridges in Cullman County, shall, upon adoption of this Act, become outstanding financial obligations of Cullman County, and shall be retired or paid in accordance with the terms under which such indebtedness was incurred.

Section 8. The Cullman County governing body shall employ a county engineer, who shall be a thoroughly qualified and competent civil engineer, possessing all of the qualifications specified for county engineers under the general laws of the State of Alabama; and such engineer shall devote his entire time and attention to the maintenance and construction of the Cullman County public roads, highways, bridges and ferries, and he shall, during his employment, reside in Cullman County, Alabama.

Section 9. The county engineer shall be appointed by the county governing body from a nomination made by the state highway director. If a nomination is not acceptable to the county governing body the state highway director shall be requested to make additional nominations. Should the state highway director refuse or fail to make nominations, the Cullman County governing body may fill the position of county engineer with any person who has the qualifications herein set out.

Section 10. It shall be the duty of the county engineer: (1) To employ; supervise and direct all such assistants as are necessary to properly maintain and construct the public roads, highways, bridges and ferries of Cullman County, and he shall have authority to prescribe their duties, and to discharge said employees for cause, or when not needed; (2) to perform such engineering and surveying services as may be required, and to repair and maintain the necessary maps and records; (3) to maintain the necessary accounting records to reflect the cost of the county highway system; (4) to build, or construct any roads, or change old roads, but only when ordered to do so by proper order of the Cullman governing body; (5) it shall be his further duty, in so far as it is feasible, to construct and maintain all county roads on the basis of the county as a unit, without regard to any district, quadrant or beat lines.

Section 11. The county engineer is hereby designated as the person authorized to make written requisitions upon the county governing body of Cullman County or its duly designated purchasing agent for all articles, materials, supplies, and equipment necessary for the maintenance and construction of roads, bridges and ferries in Cullman County.

Section 12. It shall be the duty of the Cullman County governing body to fix, from time to time, in accordance with prevailing economic conditions, the various scales of wages or salaries to be paid for labor necessary in the maintenance and construction of said roads, bridges and ferries and said wage or salary scale shall not be exceeded by said engineer in the employment of labor and assistance. Provided, however, that should the county governing body of Cullman County refuse or fail to fix said scale of wages or salaries, the engineer shall request the state highway director to fix the same, and the wages or salaries so fixed by the state highway director shall not be exceeded in the employment of labor and assistance.

Section 13. The Cullman County governing body shall fix the amount of the salary of the county engineer, payable in equal monthly installments from the road and highway funds of Cullman County.

Section 14. Before entering upon his duties the Cullman County engineer shall make and enter into a surety bond in the amount of five thousand dollars (\$5,000.00) payable to Cullman County, conditioned for the faithful discharge and performance of his duties as such engineer, and for the faithful accounting of all monies or property of the county, which may come into his possession or custody. The bond shall be executed by a surety company authorized and qualified to do business in Alabama, and shall be approved by the chairman of the Cullman County governing body. The premiums on the bonds shall be paid by the county.

Section 15. The Cullman County governing body shall furnish the county engineer with an office at the courthouse, or elsewhere, at the county seat, and all necessary office supplies, and shall furnish him with necessary transportation in connection with his duties under this Act.

Section 16. The county engineer shall be the custodian of all road tools, machinery, supplies and equipment of Cullman County; and he shall be accountable for the same, at all times. The Cullman County governing body shall furnish the necessary storage facilities in which to keep said tools, machinery, supplies and equipment, and the county engineer shall keep on file in his office, at all times, an up-to-date inventory, containing a list of all said tools, machinery, equipment and supplies belonging to Cullman County.

Section 17. The authority of the county engineer shall be limited to the expenditure of such funds for the purpose of construction, maintenance or repair of public roads, bridges, and ferries of Cullman County as may be set aside and appropriated by the county governing body, as hereinafter provided. It shall also be the duty of the county governing body at some meeting in September of each calendar year, not later than the first meeting in October following, by order or resolution spread upon the minutes, to fix and determine the amount of funds which will be available for the purpose of building, maintaining and constructing public roads, bridges and ferries of Cullman County for the current fiscal year, beginning on October 1, which said amount, other than the salary of the county engineer and his necessary expenses, shall not be exceeded by him in building, maintaining and constructing public roads, bridges and ferries in Cullman County during said period. The county governing body, however, is authorized from time to time within such period to increase the amount so allowed to be expended by the county engineer during the period, when such authorization will not conflict with provisions of the general law under the Budget Act, Title 12, Section 74 of the Code of Alabama 1940, and provided, further that if such funds are presently available, and have not heretofore been set aside by the highway department or by the present county commission of Cullman County, immediately upon the effective date of this Act, it shall be the duty of the county governing body to set aside a sufficient portion of said funds for the maintenance of said roads, bridges and ferries until the meeting in September or October, 1977, as hereinabove provided for.

Section 18. The county engineer shall make written requisitions to the chairman of the county governing body for all materials, machinery, equipment, and necessary supplies needed for the construction, maintenance and repair of the public roads, bridges and ferries of Cullman

County. Said requisitions shall be filed and presented to the chairman of the county governing body at its next meeting for the approval of the governing body. Provided, however, that the chairman shall have full power and authority to make purchases without first obtaining the approval of the whole commission if the delay caused by the hereinabove procedure, might, in his judgment, cause an unnecessary and harmful interruption in the operation of the county road system.

Section 19. It shall be the further duty of the county engineer to inspect all materials, machinery, equipment, and supplies purchased by Cullman County for use on public roads, bridges and ferries, when the same is delivered, and the same shall not be accepted and paid for without first having been approved by him.

Section 20. In the event an emergency should arise, in which it would be impossible for the Cullman County governing body to employ an engineer, as hereinabove provided for, then, in that event, the county governing body shall employ a competent road supervisor who need not be an engineer, but, when so employed, he shall have all the duties and authority of said engineer, and be subject to the provisions of this Act; but an emergency shall not exist so long as the state highway director can nominate an engineer who would accept employment by the governing body of Cullman County under the terms of this Act, it being the intention of this Act to provide that when county roads are to be maintained or constructed in said county, the supervision thereof shall be either under a county engineer, as hereinabove provided for, or a road supervisor, who is not a member of the county governing body.

Section 21. There is hereby created and established as of the first Monday after the second Tuesday in January 1977 in and for the County of Cullman, in the State of Alabama, a new county governing body, hereinafter referred to as the commission, which commission shall have and exercise all the powers, duties, limitations, and responsibilities, and in the same manner, as prescribed in the general law of Alabama, now in effect or hereinafter enacted, governing county governing bodies. The members of such commission shall be charged with the same duties and responsibilities and shall be subject to the same penalties as members of county commissions under the general law, but only insofar as they are consistent with the provisions of this Act.

Section 22. The commission herein created shall be known as "The Cullman County Commission," and it shall take the place of the present Cullman County commission which was established by Act No. 167, H. 422 of the 1959 Regular Session of the legislature (Acts of 1959, p. 690) as the board of revenue of said county and its name changed by general law. Such governing body shall cease to exist upon the enactment of this Act and is hereby abolished.

Section 23. The commission herein created shall consist of a chairman and four associate members who shall each and severally be chosen and possess the qualifications hereinafter set out.

Section 24. The chairman of the commission shall qualify and assume his duties hereunder on the first Monday after the second Tuesday in January 1977 and he shall receive for his services, payable out of the county treasury the sum of eighteen thousand dollars per year, in monthly installments. The chairman of the commission herein created shall have and exercise all the powers, duties, limitations and responsibilities with

relation to the commission herein created as does the judge of probate with relation to county commissions under the general laws of this state, except insofar as such powers, duties, limitations and responsibilities may be inconsistent with the provisions of this Act. The chairman of the Cullman County commission serving when this Act becomes effective shall be the first chairman of the commission hereby created and shall serve as such for the remainder of the term for which he has been elected.

Section 25. The associate members of the commission herein created from the northeast quadrant of the county and from the southeast quadrant of the county, as hereinafter defined, shall be R.T. ("Pete") Bailey and Dane Estes, respectively, who shall each qualify and assume their respective duties hereunder on the first Monday after the second Tuesday in January 1977 and they shall serve out the remainder of the terms for which they were elected and until their successors are elected and qualified. The associate members from the northwest quadrant of the county and from the southwest quadrant of the county as hereinafter defined, shall each be elected at the general election in 1976 and shall assume the duties of their office on the first Monday after the second Tuesday in January 1977.

Section 26. The several associate members of the commission herein created shall receive as compensation for their services the sum of nine thousand dollars per year, each, payable in monthly installments, and payable out of the treasury of Cullman County.

Section 27. For the purposes of this Act, and for future elections of associate members of the commission, Cullman County is hereby divided into four quadrants, to be known as the northeast quadrant, the southeast quadrant, the northwest quadrant and the southwest quadrant. Northeast quadrant shall be composed of all that area of Cullman County lying east of U.S. Highway 31 and north of U.S. Highway 278. Southeast quadrant shall consist of all that area lying south of U.S. Highway 278 and east of U.S. Highway 31 to its intersection with state road 69 and east of state road 69 to its intersection with county road 22, then south of county road 22 between state highway 69 and interstate 65, then all that area south of said county road 22 and east of interstate 65. The northwest quadrant shall consist of all that part of Cullman County lying west of U.S. 31 to its intersection with state highway 69 and west of said highway 69 to its intersection with county highway 22 and north of highway 22. The southwest quadrant shall consist of all that part of Cullman County lying south of county highway 22 and west of interstate highway 65.

Section 28. At the general election immediately prior to the expiration date of the term of each of the associate members as they are hereinabove named, and as is hereinabove provided and every four years thereafter, their successors shall be elected by the qualified voters of the entire county, and the term of office of each associate member so elected shall be for four years beginning on the first Monday after the second Tuesday in January following his election, and until his successor has been elected and qualified.

Section 29. Each associate member of the commission shall be nominated and elected by the voters of the entire county. Each associate member shall, however, be a resident and qualified voter of the quadrant for which he is elected, and shall reside in said quadrant continuously during the term of his office.

Section 30. Each quadrant shall be entitled to one associate member on said board, at all times, and should any vacancy occur, such vacancy shall be filled by appointment of the Governor, and the person so appointed shall hold office for the remainder of the term of the place which is vacant.

Section 31. Each member of the commission herein created shall, before entering upon the duties of his office, execute a good and sufficient bond, in the same amount, with the same conditions, which must be approved in the same manner, and must qualify in the same manner in all respects, except insofar as the same may be inconsistent with the provisions of this Act, as is provided under the general laws of the State of Alabama for members of county commissions.

Section 32. The commission herein created shall hold regular meetings on the second and fourth Mondays in each month, at the courthouse in and for Cullman County, Alabama, remaining in session as many days as may be necessary; and may hold special meetings at the call of the chairman.

Section 33. Action in the name of and under the authority of the commission may be taken by a majority of said commission, present and voting at any regular or special meeting, provided, at least a quorum is in attendance. A quorum shall consist of a chairman and two other members, or three members other than the chairman.

Section 34. The commission shall employ a clerk, who shall devote his entire time to the duties of his office, and he shall receive such compensation for his services as may be determined and fixed by the commission, and the commission may employ such other clerical help and assistance as may be deemed necessary for the proper, efficient, and economical operation of the office of said commission. The clerk shall enter the minutes of all proceedings of the commission in a well bound book provided him for that purpose, which book shall be kept in the office of the commission, and shall be open to the inspection of the public at all reasonable hours. The minutes of the proceedings of the commission shall be entered and recorded in the minute book within five days from the adjournment of every regular or special meeting. The clerk shall present to the commission at each regular meeting a list of all claims which have been filed against the county. He shall, also, keep a complete record of all receipts and disbursements of all county funds, and must be prepared at all times to show the exact financial condition of the county.

Section 35. It shall be the further duty of each associate member of the commission to inspect the roads of his district from time to time, and hear the suggestions and complaints of the citizens, and report the same to the commission with his recommendation; to advise with the county engineer concerning the problems of his district, particularly; and to assist in securing rights-of-way, and assist in public relations generally.

Section 36. The commission shall have the power, and is hereby authorized to appropriate, out of any monies in the county treasury, not otherwise appropriated, and to expend not exceeding the sum of two thousand dollars per annum for any purposes, not otherwise provided for by law, which in their judgment are worthy and for the best interest of the county, the fund hereby authorized shall be known as the "contingent fund." Provided, however, that the expenditures herein provided for shall first be authorized by the commission and spread upon the minutes; and,

provided further, that not more than two thousand dollars shall be appropriated and expended in any one year, under this section, and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will, together with the sum so remaining unexpended, bring the contingent fund up to the sum of two thousand dollars.

Section 37. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed and Act No. 167, H. 422 of the Regular Session of 1959 (Acts 1959, p. 698) which created and established the present county commission of Cullman County, together with all amendments thereto, is hereby expressly repealed.

Section 38. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 39. Substantive provisions of this Act shall become effective as provided in Section 1 hereof, however the provisions of this Act authorizing the calling of the referendum and providing therefor shall become effective immediately upon the Act's becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug 28, Sept 4, Sept 11, and Sept. 18, all in the year 1975.

MARC MILLER,
Publisher.

Sworn to and subscribed before me Sept. 18, 1975.

CHARLOTTE MILLER.

By Messrs. Clemon and Pearson:

S. 1243. To amend the provisions of Act No. 763, H. 286, 1973 Regular Session, approved September 5, 1973, which provided a \$5.00 per day subsistence allowance for certain law enforcement officers, so as to extend the provisions of said Act to state law enforcement officers employed by the Industrial Relations Department.

Committee on Rules.

By Messrs. Clemon and Pearson:

S. 1244. To provide that Unemployment Insurance Fraud Investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the Alabama

Unemployment Compensation Law and the criminal laws of the State of Alabama.

Committee on Rules.

By Mr. Wilson:

S. 1245. To amend Section 3 of Act No. 96, H. 17, 1971 First Special Session [Acts of 1971, p. 166; now appearing in Code of Alabama, Recompiled 1958, Title 51, Section 629 (23)], that furniture in a leased furnished apartment will not be subject to the leasing tax.

Committee on Finance and Taxation.

By Mr. Little:

S. 1246. To provide for the election of members of the county commission in all counties having a population between 17,000 and 20,000 inhabitants according to the most recent federal decennial census.

Committee on Local Legislation No. 1.

By Mr. Little:

S. 1247. To amend the title of Sections 1 and 4 of Act No. 29, H. 44, 1970 Extraordinary Session (Acts 1969-1970, p. 2631—now appearing in Code of Alabama 1940, Title 50, Sections 99 and 102), which Act provides for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service so as to bring the incorporation of certain solid wastes disposal districts within the purview of said Act and to repeal all conflicting statutes.

Committee on Local Government.

By Mr. Wilson:

S. 1248. To prohibit any insurance company from employing a scheme or plan to force claimants from accepting less than the amount due them; to provide penalties for violation of the Act.

Committee on Insurance.

By Mr. Vacca:

S. 1249. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include

the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Committee on Local Legislation No. 2.

By Mr. Foshee:

S. 1250. To repeal act No. 1198, S. 1047, 1971 Regular Session [Acts of 1971, p. 2072; now appearing in Code of Alabama, Recompiled 1958, Title 26, Section 166 (130) through Section 166 (140)], entitled "An Act To provide compensation for total disability and death due to pneumoconiosis of underground coal miners as herein defined in compliance with the mandate of the Congress of the United States as required by the provisions of Public Law 91-173 of the Ninety-First Congress and to provide for standards and presumptions for determining when and under what conditions total disability or death is due to pneumoconiosis as herein defined and to provide that any claim or action filed hereunder for such total disability or death shall be deemed to have been timely filed if filed as herein required within three years of the discovery of such total disability or the date of death in the case of death. And to provide for the liability for the benefits herein provided of prior and successor operators as herein defined for miners employed at such mines on or after January 1, 1973."

Committee on Health and Welfare.

By Mr. King:

S. 1251. To amend Section 210 of Title 22, Code of Alabama 1940, as amended, so as to provide that the Alabama Dairy Commission shall not promulgate or enforce any rule or regulation which shall establish a minimum retail price for milk in any counties with a population of not less than 175,000 nor more than 300,000 inhabitants according to the most recent federal decennial census, and to repeal all conflicting statutes.

Committee on Local Legislation No. 1.

By Messrs. Ellis, Vacca and Clemon:

S. 1252. To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize local governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Committee on Local Legislation No. 2.

By Mr. Little:

S. 1253. To authorize the governing body of any city having a population of not less than 22,000 nor more than 25,000 according to the most recent federal decennial census, to establish a parking authority as a public corporation for the purposes of financing, acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and related facilities including offices for any such authority, and leasing or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, enter into contracts, acquire and dispose of properties to provide that such

bonds shall be negotiable instruments; to authorize such authority to exercise all powers, privileges and rights necessary to implement the provisions of this Act; to provide for the dissolution of the authority and the disposition of its property and to repeal all conflicting statutes.

Committee on Local Legislation No. 1.

By Mr. Owen:

S. 1254. To alter, rearrange and extend the boundary lines corporate limits of the municipality of Citronelle, in Mobile County.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Citronelle, in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Boundary lines and corporate limits of the municipality of Citronelle in Mobile County are hereby altered, rearranged and extended so as to include within the corporate limits of said municipality, in addition to the lands now included, all of the following territory, to-wit:

PROPERTY TO BE ANNEXED TO THE CITY OF CITRONELLE,
ALABAMA

Beginning at the Northwest corner of Section 16, T-2-N, R3-W Mobile County, Alabama; thence eastwardly along the North line of Sections 16, 15, 14, and 13, T-2-N, R-3-W, and Sections 18, 17, and 16, T-2-N, R-2-W to a point; said point being the Northeast corner of Section 16, T-2-N, R-2-W; Thence Southwardly along the East line of Sections 16, 21, 28, and 33, T-2-N, R-2-W, and Sections 4, 9, and 16 T-1-N, R-2-W to a point, said point being the Southeast corner of Section 16, T-1-N, R-2-W; thence Westwardly along the South line of Sections 16, 17 and 18 T-1-N, R-2-W and Sections 13, 14, and 15 T-1-N, R-3-W to a point, said point being the Southwest corner of Section 15, T-1-N, R-3-W; thence Northwardly along the West line of Section 15, T-1-N, R-3-W to a point, said point being the Northwest corner of Section 15, T-1-N, R-3-W; thence Westwardly along the South line of Sections 9, 8 and 7, T-1-N, R-3-W to a point, said point being the Southwest corner of Section 7, T-1-N, R-3-W; thence Northwardly along the West line of said Section to a point; said point being the Northwest corner of said Section 7; thence Eastwardly along the North line of said Section 7, to a point; said point being the Northeast corner of said Section 7, and the Southwest corner of Section 5, T-1-N, R-3-W; thence Northwardly along the West line of said Section 5 to a point, said point being the Northwest corner of said Section 5; thence Eastwardly along the North line of said Section 5, to a point, said point being the Northeast corner of said Section 5 and the Southwest corner of Section 32, T-2-N, R-3-W; thence Northwardly along the West line of Sections 33, 28, 21 and 16, T-2-N, R-3-W to the point of beginning, all being located in Mobile County, Alabama. Excepting therefrom the present city limits of

the City of Citronelle, Alabama and the property of Georgia Pacific Mill located in Section 25, T-2-N, R-3-W Mobile County, Alabama, said exception being more particularly described as follows:

CITY OF CITRONELLE, ALABAMA

The South one-half of Section 25, T-2-N, R-3-W. The East one-half of Southeast quarter of Section 26, T-2-N, R-3-W. The East one-half of the East one-half of Section 35, T-2-N, R-3-W. All of Section 36, T-2-N, R-3-W. The Northeast one quarter of the Northeast one quarter of Section 2, T-1-N, R-3-W. The North one-half of Northwest one quarter of Section 1, T-1-N, R-3-W. The East one-half of Section 1, T-1-N, R-3-W. The East one-half of Southwest quarter of Section 1, T-1-N, R-3-W. The Southeast one quarter of the Northwest one quarter of Section 1, T-1-N, R-3-W. The West one-half of Section 31, T-2-N, R-2-W. The West one-half of Section 6, T-1-N, R-2-W.

GEORGIA PACIFIC MILL

Commencing at the Northeast corner of the Northwest quarter of the Northwest quarter of Section 25, T-2-N, R-3-W, Mobile County, Alabama; thence S 89° 43' 00" E a distance of 459.85 feet to a point on the East right of way of the I. C. G. Railroad, for the point of beginning of the property herein described; thence continue S 89° 473' 00" E a distance of 168.0 feet to a point; thence S 01° 01' W a distance of 858.92 feet to a point; thence East a distance of 1122.85 feet to a point on the West right of way of Odom Road; thence Southwesterly along the arc of a curve to the left with a radius of 13525 feet, a distance of 484.45 feet to the P. T. thereof; thence S 02° 15' 30" W a distance of 801.87 feet to the P. C. of a curve to the left with a radius of 1905.20 feet; thence Southeasterly along the arc of said curve a distance of 517.73 feet to a point on the South line of the Northeast quarter of said Section 25; thence West a distance of 439.0 feet to the East right of way of the I. C. G. Railroad; thence N 32° 57' W along said East right of way a distance of 1068.34 feet to the P. T. of a curve to the right; thence Northwesterly along said East right of way a distance of 1868 feet, plus or minus, to the point of beginning. Containing 43.76 acres.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act, shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joyce Butt being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 8, 15, 22, 29.

JOYCE BUTT.

Sworn to and subscribed before me this 18 day of Sept. 1975.

GARY L. RICHARDSON,
Notary Public.

By Mr. Baker:

S. 1255. Relating to counties having a population of not less than 41,500 nor more than 45,000 inhabitants according to the most recent

federal decennial census; to provide an additional expense allowance for the judge of the county court.

Committee on Local Legislation No. 1.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1177. To provide for the City of Oxford in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

was taken up.

Mr. Stewart offered the following amendment to the Bill, S. B. 1177, to-wit:

AMENDMENT TO SENATE BILL 1177

Amend Senate Bill 1177 on page 10 line 17 through 30 by deleting Section 21.

Further amend said bill by adding at the end of Section 3 after the word "Clerk." on line 15, the following: "and the Mayor's secretary."

Further amend said bill by adding at the end of Section 3 on line 15 the following: "Provided however, the Department heads referred to herein who are presently serving in that capacity may be replaced or removed from office, but they shall not lose their civil service rating, salary or retirement benefits as a result of said removal."

Further amend Section 3 by adding after subsection (i) the following subsection: "(j) the civil service Board of the City of Oxford shall establish a formula for the mayor and the city council to consider in the selection of department heads which will give weight and emphasis to previous service by individuals who were or are city employees."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, S. B. 1177, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore,

Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

was taken up.

Mr. Flippo moved that consideration of the Bill, H. B. 490, be postponed temporarily. Mr. Owen moved that the motion to postpone be laid on the table, which motion was lost.

Yeas 11; Nays 21.

Yeas:

Messrs. Adams, Foshee, Givhan, Jones, Little, McDonald (A), Noonan, Owen, Stewart, Torbert, Wilson.

—11

Nays:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, Roberts, St. John, Shelby, Vacca, Waldrop.

—21

The question was then on the motion to postpone temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 167. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits thereof certain additional territory lying within the following described boundaries, situated in Jackson County, Alabama.

Also:

H. 168. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits thereof certain additional territory lying within the following described boundaries, situated in Jackson County, Alabama.

Also:

H. 1302. To authorize the County Commission of Randolph County to provide for the relief of the Farm Bureau Insurance Company for the payment of a claim arising from a wreck between a Randolph County truck and a car driven by James East.

Also:

H. 1047. Relating to Lauderdale County; to further amend Sections 1, 2, 3, 4, 7, 8 and 10 of Act No. 296 adopted by the 1949 Regular Session of the Legislature of the State of Alabama approved July 28, 1949 (Acts of Alabama of 1949, pp. 426 to 433), as amended by Act No. 470 adopted by the 1959 Regular Session of the Legislature of Alabama, approved November 13, 1959 (Acts of Alabama of 1959, Vol. 2, pp. 1165-1170), relating to privilege or license taxes or excise taxes in Lauderdale County (outside the corporate limits of the City of Florence) and in the City of Florence, Lauderdale County; levying in such county (outside the city limits of Florence) and in such municipality additional privilege license and excise taxes paralleling the state sales and use taxes provided for in Act No. 100, Second Special Session 1959 (Acts 1959, p. 298), as amended, and in Articles 11, 11A and 11B, Title 51, Code of Alabama, 1940, as amended; providing that the taxes levied in Sections 1 and 3 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Act No. 100, adopted by the 1959 Second Special Session of the Legislature of Alabama, approved August 18, 1959, as amended, except where inapplicable or where herein otherwise provided; providing that the taxes levied in Sections 2 and 4 of this Act shall be subject to all of the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, punishments and deductions set out in Articles 11, 11A and 11B of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, except where inapplicable or where herein otherwise provided; providing for the alternative collection of such taxes and the enforcement and administration of the Act by the State Department of Revenue if authorized and directed by the governing body of Lauderdale County; and further providing a procedure by which the governing body of Lauderdale County may discontinue availing itself of the alternative collection of such taxes and the enforcement of the Act by the State Department of Revenue after election to invoke such alternative collection and enforcement procedures has been made.

Also:

H. 753. To amend Section 6 of Act No. 48, H. 413, Regular Session 1973 (Acts 1973, p. 76) regulating the employment of all legislative employees so as to provide for the employment of one additional page for each house to be appointed upon recommendation of the Department of Youth Services.

Also:

H. 917. To amend Act No. 91, S. 70, of the 1975 Third Special Session of the Legislature of Alabama to provide for secretarial, legal, clerical or administrative assistants for each circuit judge of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; and to fix the term of office and prescribe the pay for such assistants; and to provide for the payment of the salaries of such assistants out of the general fund of the county composing said circuits.

Also:

H. 1389. Relating to Coosa County, providing monthly expense allowances for the tax assessor and tax collector of said county; and giving this Act retroactive effect.

Also:

H. 918. Pertaining to the Sixth Judicial Circuit and relating to the compensation of the Legal Stenographer of the District Attorney of the Sixth Judicial Circuit, amending Act No. 657 of the 1973 Regular Session of the Legislature of Alabama, and to the compensation of Bailiffs for the Sixth Judicial Circuit, amending Act No. 332 of the 1969 Regular Session of the Legislature of Alabama, and to the compensation of the official court reporters, amending Act No. 2085 of the 1971 Regular Session of the Legislature of Alabama.

Also:

H. 1172. Relating to all counties having a population of 90,000 to 100,000 inhabitants according to the most recent Federal Decennial Census; to provide that all county boards of education in such counties, shall have the power to borrow against revenues derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such counties, at any time in the future vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed and its becoming effective upon its signing by the Governor or its otherwise becoming law.

Also:

H. 1214. Relating to Cullman County; to reimburse the office of the judge of probate for any monetary loss resulting in the performance of official duties from errors or mistakes, made in good faith, and upon proper certification by the state examiner, not to exceed a maximum of fifteen hundred dollars per annum; making the provisions herein retroactive to October 1, 1972.

Also:

H. 815. To amend further Title 46, Sections 71 and 73, Code of Alabama 1940, relating to the state licensing board for general contractors; so as to increase the amount of the funds deposited in the state treasury to the credit of such licensing board that the board may retain, and increase application and renewal fees.

Also:

H. 1049. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County and providing that such roads and bridges shall be constructed, maintained, and repaired by the State Highway Department, by amending Sections 1, 2, and 5 thereof; providing that the county governing body shall have and exercise the power to set up projects within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with county governing body of Lauderdale County on a quarterly basis and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway

Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Also:

H. 1483. Providing that the counties comprising the Third Judicial Circuit shall increase the compensation of the circuit court reporter so that his total salary shall equal \$12,000 per annum.

Also:

H. 121. To provide for the appointment, duties and Compensation of Twenty-one Deputy District Attorneys in the Tenth Judicial Circuit of Alabama, Birmingham Division.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 828. Relating to the eradication and control of swine diseases: to make an appropriation to the department of agriculture and industries for the fiscal year ending September 30, 1976, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera, African swine fever and other swine diseases.

Also:

H. 1044. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923 (General Acts of Alabama of 1923, Page 663, et seq.), which established a policeman's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, Page 241, et seq.), as heretofore amended; to make the provisions of this act retroactive.

Also:

H. 1136. To further amend Sections 89, 94, and 95 of Title 51 of the Code of Alabama of 1940, as amended, changing population spans, methods of compensation and appointment of officers.

Also:

H. 1116. To create the positions of and establish a salary range for the positions of stenographic secretary for each of the judges of the 26th judicial circuit.

Also:

H. 1071. Relating to the stenographic secretary appointed by the district attorney in every judicial circuit, composed of one county with a population of not less than 27,000 nor more than 27,900, so as to authorize an additional expense allowance for the stenographic secretary.

Also:

H. 1034. To provide in Madison County, Alabama, that the fee charged for issuing any license to a person to carry a pistol in a vehicle or concealed on or about his person pursuant to Section 177, Title 14, Code of Alabama, 1940, as last amended, shall be Five Dollars (\$5.00), four dollars of which shall be earmarked for the "betterment of county law enforcement", available upon requisition of the sheriff for such purposes.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 139. CREATING A JOINT CONTINUING COMMITTEE TO STUDY REAL ESTATE LICENSING LAWS.

Also:

H. J. R. 249. CONGRATULATING WKLF-WEZZ FOR A JOB WELL DONE.

Also:

H. J. R. 251. MOURNING THE DEATH OF DWIGHT M. JACKSON.

Also:

H. J. R. 258. COMMENDING THE STAR SPANGLED SINGERS FOR THEIR PRESENTATION "WHAT PRICE FREEDOM?" BEFORE THE LEGISLATURE.

Also:

H. J. R. 261. HONORING MRS. ELLEN LAUNIUS HARDING WHO IS RETIRING AFTER THIRTY-SIX YEARS OF TEACHING IN THE JEFFERSON COUNTY SCHOOLS.

Also:

H. J. R. 265. COMMENDING THE CONFEDERETTES OF LEE HIGH SCHOOL, HUNTSVILLE, ALABAMA, FOR WINNING THE HIGHEST HONORS AT HALFTIME, USA.

Also:

H. J. R. 266. MOURNING THE DEATH OF MRS. LUCY BLACKBURN MOORE.

Also:

H. J. R. 268. CONGRATULATING MISS ALETHA AVANTON BEING CHOSEN AS THE AUTAUGA COUNTY FARM BUREAU QUEEN.

Also:

H. J. R. 269. CONGRATULATING MISS CATHY WOOD ON BEING CHOSEN AUTAUGA COUNTY MAID OF COTTON.

Also:

H. J. R. 272. CONGRATULATING MISS ANN SMITH UPON WINNING THE 1975 SCOOP AWARD.

Also:

H. J. R. 286. COMMENDING DAN WILEY.

Also:

H. J. R. 287. CONGRATULATING DENISE TODD FOR HER ACADEMIC ACHIEVEMENTS AT AUBURN UNIVERSITY.

Also:

H. J. R. 288. HONORING THOSE GALLANT MEN FROM LAWRENCE COUNTY WHO LOST THEIR LIVES IN SOUTHEAST ASIA IN THE VIETNAM CONFLICT.

Also:

H. J. R. 289. LAMENTING THOSE PERSONS WHO LOST THEIR LIVES IN LAWRENCE COUNTY DURING THE TORNADOES ON APRIL 3, 1974.

Also:

H. J. R. 323. COMMENDING ELBERT A. DODD UPON HIS ELECTIONS AS NATIONAL TRUSTEE AND AS NATIONAL LEGISLATIVE COMMITTEEMAN AT THE NATIONAL FATERNAL ORDER OF POLICE CONVENTION.

Also:

H. J. R. 327. COMMENDING THE FOUR NATURALS ON THEIR SMOOTH BRAND OF MUSICAL ENTERTAINMENT.

Also:

H. J. R. 332. COMMENDING OUR COLLEAGUE, RONALD E. JACKSON ON ATTAINING NATIONAL RECOGNITION.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flippo that consideration of the Bill be postponed temporarily.

INTERIM COMMITTEE REPORT FILED

The second report of the Interim Committee to Study Lawson Junior College and Technical School created under the provisions of S. R. 80, was read and ordered filed with the Secretary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 1058. To amend Title 15, Section 44, Code of Alabama, to provide that in cases involving the murder, attempted murder, assassination or attempted assassination of any member of the judiciary, state or other public official, or of any law enforcement officer the governor is authorized to increase the reward for information leading to the arrest of the felon up to \$10,000.00; effective retroactively.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 128. TO ESTABLISH A JOINT INTERIM STUDY COMMITTEE TO INVESTIGATE ALLEGATIONS WITH RESPECT TO THE FAIRHOPE SINGLE TAX CORPORATION.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the vote by which it concurred in and adopted the Senate amendment to the bill:

H. 837. Relating to all counties having populations of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for an additional secretarial assistant for the office of the district attorney of the judicial circuit in which such county lies.

and has non-concurred in the Senate amendment to the bill. And requests a Committee on Conference, and the Speaker of the House has appointed as the Committee on Conference on the part of the House Messrs. Teague, Dial and McCluskey.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Littleton, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 837, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Littleton, Fine and Stewart.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flipppo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

By Mr. Foshee:

S. 408. To provide that all persons employed as guides in the Capitol complex shall be given the classification of "Capitol Hostess" under the provisions of the merit system and provides for additional compensation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1751. To authorize the governing body of Pickens County, Alabama, to call an election in said county for the purpose of determining whether or not the said governing body of Pickens County may levy an additional privilege or license and excise and sales tax equalling one-half of one cent and paralleling, with like provisions in Pickens County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940 and the amendments thereto; providing for the collection thereof; and providing that one-half of the revenues arising from any levy made by said governing body of said county under authority of this act shall be paid to the Pickens County Hospital Association for the operation and maintenance of public hospitals in said county and the remaining one-half of such revenue shall be paid to the Pickens County Commission for use by it for public health purposes in said county.

Also:

H. 1750. To amend Sections 4 and 5 of Act No. 171 enacted at the 1965 Regular Session of the Legislature of Alabama to provide that of the proceeds from Pickens County sales and use taxes levied thereby the first \$120,000 in each fiscal year shall be paid over to Pickens County Hospital Association and used by it solely for paying the costs of acquiring, constructing, equipping, operating, and maintaining a new public hospital facility in or near the Town of Carrollton, Alabama, that one-half of the remainder of said proceeds from said taxes shall be paid over to the Pickens County Hospital Association for the operation and maintenance of such new public hospital facility, and that one-half of the remainder of said proceeds from said taxes shall be paid over to the Pickens County Commission for use by it for public health purposes; to order an election in Pickens County on the question of whether Pickens County Hospital Association should consolidate public hospital facilities and services in such county through the closing of the existing hospitals at Aliceville and Reform and the construction and equipment of a new public hospital facility in or near the Town of Carrollton, Alabama; and to provide that this Act shall become effective only if a majority of those voting at said election vote in favor of the consolidation of such public hospital facilities and services.

Also:

H. 1534. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional expense allowance for the circuit clerk and register.

Also:

H. 858. To provide for supplementing the salaries or compensation paid to retired or supernumerary circuit judges in the Thirty-First Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been

publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Mr. Owen offered the following Senate Joint Resolution, to-wit:

S. J. R. 130. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM COMMITTEE ON FINANCE AND TAXATION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. There shall be an Interim Committee on Finance and Taxation, to meet during the interim between approval date of this resolution and the opening day of the regular session of the Legislature in May 1976 and again between the 1976 Regular Session and the 1977 Regular Session and again between the 1977 Regular Session and the 1978 Regular Session, whose duty it shall be to make a careful investigation and study of the financial condition of the State, hold budget hearings, inquire into ways and means of financing state government and its programs, and report its findings and recommendations as herein provided. The Committee shall be composed of the Senate Standing Committee on Finance and Taxation, the President Pro Tempore of the Senate, the Lieutenant Governor and four members of the Senate to be appointed by the Lieutenant Governor and the members of the House Standing Committee on Ways and Means, the Speaker Pro Tempore of the House, the Speaker of the House and four members of the House to be appointed by the Speaker of the House. The President and the President Pro Tempore of the Senate and the Speaker and the Speaker Pro Tempore of the House shall be Ex Officio members of the Committee.

2. The Chairman of the Senate Committee on Finance and Taxation shall be Chairman of said Committee and the Chairman of the Ways and Means committee shall be Vice Chairman. The Chairman of the Committee, or in his absence the Vice Chairman, shall set the schedule and program for committee work. He shall fix the days and hours of meeting and of conducting hearings and examining witnesses who appear before the committee. He may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the committee's business and expedite its work. The Chairman of the Committee may employ such clerical, legal, technical, and expert assistance as the committee may find necessary in performing its duties.

3. The committee shall determine the amount to be paid employees, who shall be paid in accordance with Title 32, Section 13, Code of Alabama. The members of the committee shall be paid the same compensation and expenses that they receive while in legislative session. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature.

4. The final report of the committee, along with findings and recommendations, shall be submitted to the Governor no later than the fifth legislative day of the regular session for the year in which such committee is reporting. Upon the submission of the final report in 1978 the committee shall stand dissolved.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Gafford, Lutz, Gregg, Falkenburg, Armstrong, Clark, Lee, Boles, McNair, Johnson, Reed, Howard, Morris, Mitchem, Callahan, Sandusky, Moore (O), Smith (M), Sasser, White, Jackson (F), Sonnier, Smith (C), Lewis, Holmes, Smith (J), Folmar, Carothers, Crawford, Holley, Quarles, Teague, Andrews, Hill, Dial, Weeks, Taylor, Goodwin, Albright, McNees, Trammell, Waggoner, Biddle, Jolly, Manley, Naramore, Moore (W), Carter, Cross, Plaster, Turnham, Baker, Whatley, Coburn, Hopping, Burgess, Glass, Johnstone, Cooper, Malone, McCulley, Kennedy, LeFlore, Kinsey and McMillan.

H. 851. To extend the state employees' retirement system and any state employees' insurance plan to members of the legislature, who for the purpose of coming within the provisions of these plans shall be considered "state employees"; providing that the legislators shall on a voluntary basis elect whether or not they choose to take part in the retirement system or insurance plan; and that the total compensation paid members of the Legislature including per diem, wages, fees, travel and expense allowances and all other forms of compensation shall, for the purpose of this act, be considered as salary for the purpose of making deductions for the insurance and retirement plans.

Also:

H. 852. Proposing an amendment to the Constitution of Alabama providing that legislators may elect to come within the provisions of the state employees' retirement system and any state employees' insurance plan.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 851 and 852. To the Committee on Rules.

(The above numbered Bill, H. B. 852, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

The President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Cooper, Johnstone, Malone, Sandusky, LeFlore, McNees and Naramore:

H. 942. To make an appropriation to the State Department of Finance, Division of Service, for construction of shelters for security personnel employed at state parking lots.

Also:

By Messrs. Falkenburg, Manley, Johnson, Gafford, McNees, Waggoner, Armstrong, White, Jolly, Leonard, Moore (O), Trammell, Sasser, Wyatt, McMillan, Naramore, Plaster, Tucker, Teague, Roberts, Carter and Cross:

H. 1623. To amend Section 2 of Act No. 1218, H. 342, Regular Session of 1973 (Acts 1973, p. 2065), which relates to appropriations for the renovation, repair, refurbishing, and refurnishing of certain state buildings so as to remove the line item conditional appropriations and appropriate the sum of Two Million Dollars.

Also:

By Mr. Biddle:

H. 475. To provide that in any county in this state, the official authorized to issue automobile license plates shall issue license plates without state ownership identification at no charge to the Governor, to any state official, or to any state investigator for use on a state-owned vehicle when requested to do so as a safety measure by the Director of Public Safety.

Also:

By Messrs. Hill, Teague and Dial:

H. 63. To amend Section 1 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, p. 734) as amended (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958, and as amended), which relates to the Employees' Retirement System of Alabama; so as to provide that the "average final compensation" used to calculate a member's retirement benefit will be based upon the three (3) years, rather than the five (5), of the final ten (10) years of membership service in which earnable compensation is highest. To also provide for the redetermination of all retirement allowance payments due on or after October 1, 1975, to members who retire prior to said date. Also to provide for necessary and proper appropriations to carry out the provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 942 and 1623. To the Committee on Finance and Taxation.

H. B.'s 475 and 63. To the Committee on Rules.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill and Senate Joint Resolution with the original Senate Bill and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 1058. To amend Title 15, Section 44, Code of Alabama, to provide that in cases involving the murder, attempted murder, assassination or attempted assassination of any member of the judiciary, state or other public official, or of any law enforcement officer the governor is authorized to increase the reward for information leading to the arrest of the felon up to \$10,000.00; effective retroactively.

Also:

S. J. R. 128. Establishing a Joint Interim Committee to investigate the Fairhope Single Tax Corporation.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McNair, Porter and Falkenburg:

H. 405. To amend Section 367 of Title 52 Code of Alabama of 1940, as amended, which relates to the administration of the Teachers' Retirement System of Alabama; to provide that the election of certain trustees to the Board of Control of the Teachers' Retirement System be accomplished by an annual statewide election, conducted under the rules, regulations and supervision of said Board of Control; to provide that each member of the Retirement System shall be eligible to vote for each position subject to election; and to provide for the admissibility of microfilmed records.

Also:

By Messrs. Lewis, Barron, Plaster, Wyatt and Holmes:

H. 1419. To make a conditional appropriation in the amount of \$100,000.00 from the Alabama Special Educational Trust Fund to Alabama State Board of Education for the use and benefit of Alabama State University for the purpose of demolition and removal of a gutted

building on the University campus and for the purpose of purchasing additional land within the University Master Plan Area.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 405. To the Committee on Rules.

H. B. 1419. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Kelley:

H. J. R. 377. WHEREAS Alabama abounds in prehistoric, historic era and marine archaeological assets in almost every section of the state; and

WHEREAS Alabama's prehistoric archaeological evidences in the Tennessee Valley, central river area, and Gulf Coast are among the oldest and most significant rock bluff and cave shelters and earthen and shell mounds in Eastern America; and

WHEREAS historic era archaeology provides considerable and vital data relating to Alabama's colonial, pioneer, territorial and early statehood heritage; and

WHEREAS Alabama's rivers, lakes, bay and Gulf contain priceless submerged objects of antiquity which should be re-claimed by professional marine archaeological activity; and

WHEREAS archaeological resources have considerable appeal to tourists and archaeological landmarks serve as visual learning centers for both our youth and Alabama adults.

NOW, THEREFORE, BE IT RESOLVED that the Alabama Legislature create the Council of Alabama Archaeology and the Alabama Archaeological Advisory Committee to work with and advise the Alabama Historical Commission on matters relating to archaeological inventory, survey, salvage, excavation, registration, research and development.

The Council shall meet no more than six times a year and shall be composed of professional practicing archaeologists, each representing four year public institution of higher learning with archaeological academic programs and a representative of the Mound State facility.

The Committee shall meet no more than twice a year and shall be composed of two members who reside in North Alabama, two members from Central Alabama and two members from South Alabama and two members of the State at large.

The Committee shall be composed of serious amateur archaeologists or private institutional archaeologists and must be affiliated with the Alabama archaeological society whose president shall be an ex-officio member of the Committee and shall serve as its chairman. The remainder of the members of the Committee shall be chosen for four year terms by the Alabama Historical Commission. The Commission shall serve without compensation or expenses.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 377, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Crowe:

HOUSE JOINT RESOLUTION NO. 254

WHEREAS, the Warrior Coal Field is located in the northwest quadrant of Alabama and produced twenty million tons of coal in 1974, and

WHEREAS, there is a critical need for this coal because of the energy crisis and industry's demand for coal, and

WHEREAS, with a tremendous amount of coal reserves in Alabama and the increasing demand for coal, a shortage of skilled, trained personnel exists in the area, and

WHEREAS, Walker State Technical College, a vocational post-secondary institution, has implemented mine training programs with the assistance of Alabama By-Products Corporation, Mead Corporation, Republic Steel, U. S. Pipe, U. S. Steel and the United Mine Workers of America, and

WHEREAS, mine training programs are unique and are taught at only one institution in the State of Alabama, and

WHEREAS, there are federal funds available for constructing and equipping vocational facilities such as mine training programs,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature does hereby request the Division of Vocational Education for Community Colleges to secure federal funds for additional mine training programs at Walker State Technical College, Sumiton, Alabama.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 254, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McMillan:

H. J. R. 363. TO CREATE A COMMITTEE FOR A FORESTRY PRACTICES STUDY.

WHEREAS, there is a recognized need for cohesive efforts by members of the Legislative Council Environmental Quality Committee, the Joint Interim Committee on Agriculture, and other interested groups and individuals to study and evaluate the need for forestry practice legislation, and

WHEREAS, they urge that their efforts be combined in a joint study committee, the purpose of such committee being to:

1. Evaluate the environmental impact of forest practices.
2. Study and evaluate measures required to increase the productivity of private forest land.
3. Study methods of continuing and developing multiple usage of forestry lands.
4. Study incentive for landowners in the carrying out of proper forestry practices and multiple use plans.
5. Study the need for research on all forestry programs—including more efficient utilization of forest products and environmental protection.
6. Study present programs of fire prevention and control, disease prevention and control, and other programs of the Alabama Forestry Commission.
7. Suggest means of improving and funding improvement of such programs, and

WHEREAS, the members of such a committee must be compensated for their efforts and attendance at committee meetings, NOW THEREFORE

Be It Resolved by the Alabama Legislature, The House and Senate concurring, that: A committee to be known as the Forestry Study Committee shall be formed; its membership shall consist of four members of the House, to be named by the Speaker, and three members from the Senate, to be named by the Lieutenant Governor; that said committee shall hold its organizational meeting within sixty days from its inception and hold such meetings as are necessary and convenient to its members, to study the needs for forestry practice legislation; that the members of such committee shall be reimbursed for attendance at committee meetings at the same rate, including expenses, as for attending regular sessions of the legislature; that the funding for the expense of the committee shall be from

the general fund of the state not to exceed \$6,000; that the life of the committee shall be for such duration as to allow it to submit its report at the next regular session of the legislature; that creation of regional forest practices advisory committees, composed of interested members from the general public from various sections of the state, be established to assist the study committee in its efforts.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 363, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens:

H. J. R. 355. WHEREAS, The people of this State are aware of the need to prevent fraud in elections; and

WHEREAS, It is imperative that the integrity of the voter registration records of this State be protected; and

WHEREAS, The Election Reform Commission after careful study of the State's elections laws has concluded that a central computer registration system would be an asset in preventing fraud and keeping registration records accurate,

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Secretary of State is hereby directed to develop a plan for establishing a central computer registration system, to prepare any necessary amendatory legislation and present a full report to the next regular session of the Legislature of Alabama.

BE IT FURTHER RESOLVED, That the sum of thirty thousand dollars be appropriated to carry out the provisions of this resolution.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 355, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Plaster:

H. J. R. 370. WHEREAS many of America's leading historic forts, battle sites, roads, and trails are located within the State of Alabama; and

WHEREAS several of Alabama's Indian trade and treaty and military transportation landmarks are National Historic Landmarks and numerous others are recorded in the National Register of Historic Landmarks; and

WHEREAS historic forts and landmark roads are tourist meccas with scenic and recreational appeal to Alabama adults and our youth as well as hundreds of thousands of visitors from out of state; and

WHEREAS much is yet to be done by both the public and private sectors to register, excavate, restore, preserve, and develop these significant landmarks.

NOW THEREFORE BE IT RESOLVED By the House of Representatives, the Senate concurring, to create the State Fort and Historic Trail Council, to work with the Alabama Historical Commission to preserve military and trade forts, battlefields, roads, trails, traces, including their scenic, natural and recreational elements.

The Council shall be composed of thirteen members who shall be selected to serve for four (4) year terms. The Governor of the State of Alabama, the Lieutenant Governor of the State, and the Speaker of the Alabama House of Representatives shall each name a member. Organizations who shall nominate members to the Council and notify the Historical Commission are the Alabama Travel Council, the Alabama Conservancy, the Chickasaw National Historical Society, Alabama Campers Association, and the Creek Indian Nation of Alabama. Two members shall be selected by the Alabama Historical Commission from the state-at-large. The ranking National Park Service and the chief administrator of the U. S. Forest Service in Alabama or his designee and the Executive Director of the Alabama Historical Commission or his designee shall serve as ex-officio members of the Council.

The Council shall meet as a body no more than twice a year and shall counsel the State of Alabama regarding the development of the state's historic forts, roads and trails and natural landmarks.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 370, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Dial and Hines:

H. J. R. 372. COMMENDING ROBERT (BOBBY) BOWICK

FOR HIS OUTSTANDING WORK WITH THE ALABAMA BICENTENNIAL COMMISSION.

WHEREAS, this nation will celebrate its birth in 1976 and the states and communities throughout the country have planned commemorative celebrations designed to imbue its citizens with a deeper awareness and appreciation for the treasured principles upon which our nation was founded; and

WHEREAS, Robert Bowick, Executive Director of the Alabama Bicentennial Commission, has worked tirelessly in developing a multitude of events and programs to insure Alabamians of full participation in ceremonies for this observance; and

WHEREAS, under his direction the Commission has: developed an award-winning multimedia presentation, entitled "How You Coming, Alabama?", which earned an award for excellence at the Atlanta International Film Festival; and with the Department of Education another film was made describing the Alabama State Capitol Complex and the functions of state government; initiated with the Alabama Public Library Service a summer reading program, "Let's Go Alabama", designed to arouse the interest of our young Alabamians in the rich heritage of their State; engineered a Bicentennial Trail composed of the State's two-hundred foremost scenic and historical sites, with at least one in each county, and each designated by a Bicentennial trail marker; caused ten out-of-print books to be reprinted, entitled the "Bicentennial Reprint Series", which series note the historical and academic importance of our great State; together with the Alabama Bible Society, providing for distribution to all churches within the State a non-denominational pamphlet on God, country and faith; assisted in inaugurating the Bicentennial license plate and the official Alabama commemorative decanter; and

WHEREAS, Mr. Bowick has been instrumental in developing official Bicentennial programs in 102 Alabama communities to date, and which communities have been nationally designated, and through his efforts in November, 1974, the University of Alabama was proclaimed as the first National Bicentennial College Community in the nation by President Gerald R. Ford in White House ceremonies; and

WHEREAS, on the South lawn of the Capitol Bobby Bowick assisted in the planning of the "Alabama Bicentennial Park" where rests the State's replica of the Liberty Bell, presented to the State honoring Alabamians as dedicated people to the beliefs of "Free Citizens in a Free Land" by the United States government in 1950; and

WHEREAS, all of Robert Bowick's dedication, talents, leadership and vision in designing, developing and planning Alabama's part in the historic, educational and patriotic renewal celebrations of our great nation's 200th year have filled us with a deep sense of appreciation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature does thank and commend Robert Bowick for his outstanding accomplishments and work with the Alabama Bicentennial Commission.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Robert Bowick.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 372, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Merrill:

H. J. R. 365. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM COMMITTEE ON FINANCE AND TAXATION.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. There shall be an Interim Committee on Finance and Taxation, to meet during the interim between approval date of this resolution and the opening day of the regular session of the Legislature in May 1976 and again between the 1976 Regular Session and the 1977 Regular Session and again between the 1977 Regular Session and the 1978 Regular Session, whose duty it shall be to make a careful investigation and study of the financial conditions of the State, hold budget hearings, inquire into ways and means of financing state government and its programs, and report its findings and recommendations as herein provided. The Committee shall be composed of the Senate Standing Committee on Finance and Taxation, the President Pro Tempore of the Senate, the Lieutenant Governor and four members of the Senate to be appointed by the Lieutenant Governor and the members of the House Standing Committee on Ways and Means, the Speaker Pro Tempore of the House, the Speaker of the House and four members of the House to be appointed by the Speaker of the House. The President and the President Pro Tempore of the Senate and the Speaker and the Speaker Pro Tempore of the House shall be Ex Officio members of the Committee.

2. The Chairman of the Senate Committee on Finance and Taxation shall be Chairman of said Committee and the Chairman of the Ways and Means committee shall be Vice Chairman. The Chairman of the Committee, or in his absence the Vice Chairman, shall set the schedule and program for committee work. He shall fix the days and hours of meeting and of conducting hearings and examining witnesses who appear before the committee. He may appoint subcommittees and invest them with such authority as may be deemed necessary to conduct the committee's business and expedite its work. The Chairman of the Committee may employ such clerical, legal, technical, and expert assistance as the committee may find necessary in performing its duties.

3. The committee shall determine the amount to be paid employees, who shall be paid in accordance with Title 32, Section 13, Code of Alabama. The members of the committee shall be paid the same compensation and

expenses that they receive while in legislative session. The payment of all compensation and expenses under this resolution shall be paid from funds appropriated to the use of the Legislature.

4. The final report of the committee, along with findings and recommendations, shall be submitted to the Governor no later than the fifth legislative day of the regular session for the year in which such committee is reporting. Upon the submission of the final report in 1978 the committee shall stand dissolved.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 365, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flippo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Merrill:

H. 336. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

Also:

By Mr. Merrill:

H. 337. To provide that a retired member of the Senate Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

By Mr. Rich:

H. 936. To amend Section 3 of Act No. 2053, S. 122, 1971 Regular Session (Acts of 1971, p. 3290; now appearing in Code of Alabama, Recompiled 1958, Title 5, Section 318), entitled "To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act"; so to set a limit on collection of default of one hundred dollars (\$100.00).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 336 and 337. To the Committee on Rules.

H. B. 936. To the Committee on Banking.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Moore (O) and Waggoner:

H. 1469. To propose an amendment to the Constitution of Alabama which, if approved by the electors of Shelby County, would authorize the Legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, furnishing water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services, and the guarding and protection of lives and property; to provide for the fixing, levy and collection by such districts of rates, fees and charges for such services, penalties for non-payment and liens upon the property within such district; and to provide for the borrowing of money and the issuance of bonds and other obligations by or on behalf of such districts; and to ratify and confirm any such law enacted by the Legislature at or after its present session but prior to the ratification of the proposed amendment.

Also:

By Messrs. Lutz, Riddick, Smith (B), Gregg, Moore (W) and Albright:

H. 158. Providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Madison County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in Madison County.

Be It Enacted by the Legislature of Alabama:

Section 1. One-half of all fines and forfeitures hereafter paid by persons convicted in courts of competent jurisdiction in Madison County, where arrests are made by a state officer for violations of the rules of the road, or laws of this state relating to or regulating traffic or operation of motor vehicles upon the highways of this state, shall be paid into the general funds of Madison County and the remainder shall be remitted by the proper authority to the state treasurer who shall credit the same to the proper fund in the state treasury.

Section 2. All laws and parts of laws in conflict with this act whether general, local or special are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Lorene L. Haire, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Madison County Record, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/9/75, 4/16/75, 4/23/75, and 4/30/75, all in the year 1975.

LORENE L. HAIRE.

Sworn to and subscribed before me May 5, 1975.

MARY RUTH RAINEY,
Notary Public.

Also:

By Messrs. Taylor, Ford and Rich:

H. 860. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

By Messrs. Clark and Manley:

H. 1841. Relating to all counties having populations of 10,660 or less according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as herein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

By Mr. Dial:

H. 1842. Relating to all counties having populations of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; authorizing the county governing body to hire deputy sheriffs, subject to available county funding for such purposes.

Also:

By Mr. Dial:

H. 1843. Relating to all counties having a population of not less than 10,900, nor more than 11,500 inhabitants according to the most recent federal decennial census; authorizing the governing bodies to establish within any such county or in any municipality located within any such county ambulance service on a non-profit basis; further authorizing any such county to join with any one or more municipality within the county in the establishment of such ambulance service; providing the manner and procedure for establishing the same; authorizing appropriations of public funds and charging certain fees for such service; and exempting from tort liability any such county and municipality while operating ambulances or providing ambulance service as authorized herein.

Also:

By Mr. Dial:

H. 1844. Relating to counties having populations of not less than 10,900 nor more than 11,500; to provide for the maintenance of certain rights-of-way.

Also:

By Messrs. Ford, Taylor and Brindley:

H. 1848. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the compensation of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to

provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

Be It Enacted by the Legislature of Alabama:

Section 1. The act shall apply only to the City of Gadsden.

Section 2. There is hereby created, in connection with the regularly organized and paid police department and fire department of the City of Gadsden, a board of trustees of the policemen and firemen's retirement fund. Such board shall be known and called the Board of Trustees of the Policemen's and Firemen's Retirement Fund of the City of Gadsden. The board of trustees shall be constituted and selected as hereinafter provided and directed; and in each city to which this act applies there is also created a policemen's and firemen's retirement fund for the benefit of persons hereinafter named, to be derived and raised in the manner hereinafter provided. If there exists in any city to which this act applies a policemen's and firemen's retirement fund and a board of trustees of such fund, pursuant to any other law, general or local, such fund shall after this act becomes law be governed by this act and shall be managed and controlled by a board of trustees conforming to this act.

Section 3. The board of trustees of the policemen's and firemen's retirement fund shall be composed of seven members consisting of the commissioner of the city governing body who has supervision over the police and fire department, who shall be chairman of the board of trustees; the chief of the police department, the chief of the fire department; the mayor of the City of Gadsden, Al. and the Commissioner of Public Works of the City of Gadsden, one first-class patrolman of the police department to be elected for a four-year term within thirty (10) days after the enactment of this act by a simple majority vote of the police department; and one first-class fireman to be elected for a four-year term within thirty (30) days after the enactment of this act by a simple majority vote of the fire department; all of whom shall serve without compensation. In the event of a vacancy in either of the latter two positions, the successor or successors shall be elected in the same manner within thirty (30) days after the occurrence of such vacancy.

All proposed amendment to the pension law shall be posted in all police and fire stations in the city of Gadsden, Ala. at least ten (10) days before trustees shall consider or take action either in favor or against amendments.

Section 4. The board of trustees, with the approval of the governing body of the city, shall have the power and authority to appoint a secretary-treasurer of said board who shall serve at the pleasure of said board and who shall receive as compensation for his services the sum of (\$25.00) twenty-five dollars per month or such other amount of compensation as the board of trustees shall provide by majority vote and shall be approved by the governing body of the city, to be paid on the first day of each month by warrant drawn in like manner as other warrants on such fund. The secretary-treasurer of the board of trustees is hereby made, and it shall be his duty to be the custodian of all moneys belonging to the policemen's and firemen's retirement fund, and all monies belonging to such fund, and all money or other property belonging to any similar fund now or hereafter maintained in any city to which this act applies shall be promptly paid to him. The said secretary-treasurer shall also be custodian of all securities

and things of value belonging to such fund. The secretary-treasurer shall before taking office, make bond in a sum to be fixed from time to time by resolutions of the governing body of the city, to be approved by the chairman of the board of trustees, in a surety company authorized to do business in Alabama for the faithful performance of the duties imposed upon him under this subdivision, and for the faithful accounting of all monies, and things of value which may come into his hands, as such treasurer of such fund, and he shall keep a separate account thereof, which shall at all times show the true condition of such fund. Upon the resignation or removal from office of such secretary-treasurer he shall surrender and deliver up to his successor all bonds, securities, and all unexpended monies or other properties which may have come into his hands as treasurer of such fund. It shall be the duty of the secretary-treasurer of said board to keep in a book provided for that purpose, a full and complete record of all proceedings of the board of trustees, and he shall perform such other duties as may be assigned to him by the board of trustees.

Section 5. The board of trustees of the policemen's and firemen's retirement fund is hereby declared to be the trustee of the policemen's and firemen's retirement fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith. The board of trustees shall have the power to recommend such rules and regulations as may be necessary to enable it effectively and properly to carry into execution the purposes for which it was organized and created, and to enable it properly to manage and conduct the business entrusted to it, provided such rules and regulations shall in no way contravene the provisions of this act; and provided further that such rules and regulations so recommended shall not become effective until written notice of such recommendations is posted in a conspicuous place in the police department and in the fire department, and after ten (10) days notice thereof, an election is held in each of said departments, in which election a simple majority of the contributing members in each of said departments, by secret ballot, vote in favor of such recommendations. The board of trustees shall hear and decide all applications for pensions or relief under this act and its decisions shall be final except for an appeal as hereinafter provided. The said board of trustees shall meet whenever the chairman thereof shall call a meeting of such board.

This section of the act shall be considered subordinate to Section 2 and Section 2 shall prevail.

1. Charges shall be made as follows and all revenues derived therefrom shall be paid into the policemen's and firemen's retirement fund;

(a) A \$5.00 court cost shall be added on all cases resulting in conviction in the recorder's court of any city to which this act applies.

(b) A 3.00 fee shall be charged for all fire reports and forms; and additional \$1.50 per picture requested by any insurance firm or individual other than the news media and other fire departments or their representatives shall be charged. Rent and paper for the machine shall be charged to the fund.

(c) A \$3.00 fee shall be charged on all identification pictures, report copies, and fingerprints requested from the police department. This fee shall not be charged or collected from all law enforcement agencies when obtaining pictures, report copies and fingerprints for use in law enforcement.

(d) All seized or unclaimed property impounded by any city police department to which this act applies and sold after a period of one year at public auction.

(e) All motor vehicles impounded by any city police department to which this act applies shall have a minimum of \$5.00 as impounded fee attached, including a \$1.00 per day storage fee to be collected by the city.

(f) All impounded motor vehicles not claimed or transferred back to the owner within 90 days will be auctioned to the public.

(g) All city facilities, buildings, property and concessions upon availability shall be open to the use of the fire and police department's pension committee to have benefits and other fund raisings at actual cost.

(h) Ten percent (10%) of the monthly salaries of each member of the police and the fire departments, shall be paid by the city clerk to the secretary-treasurer of the board of trustees on the first day of each month; and said 10% of such salaries shall be deducted from the salaries paid each member. The governing body of any city to which this act applies shall cause to be paid into the policemen's and firemen's retirement fund, out of the treasury of the city, beginning January 1, 1976, an amount equal to 15.68% of the salary of each member of such police and fire departments who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section.

(i) The city shall pay an amount equal to 15.68 per cent as long as the police and fire departments are not covered by social security.

Section 6. The policemen's and firemen's retirement fund shall consist of the following, namely:

1. All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the city of Gadsden.

2. All monies or properties that may be given or donated to said fund by any persons, firm, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund.

3. All reward money paid to any member of the police and fire departments of any such city shall be paid by the recipients of the same into said retirement fund promptly upon receipt of the same.

4. All civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in Etowah County wherein the city employing them is located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same.

5. The city clerk of all cities to which this act applies shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February, 1946, and all such fees hereafter collected by the city.

6. Charges shall be made as follows and all revenues derived therefrom shall be paid into the policemen's and firemen's retirement fund:

(a) A \$5.00 court cost shall be added on all cases resulting in conviction in the recorder's court of the city of Gadsden.

(b) A \$3.00 fee shall be charged for all fire reports and forms; an additional \$1.50 per picture requested by any insurance firm or individual other than the news media and other fire departments or their representatives shall be charged. Rent and paper for the machine shall be charged to the fund.

(c) A \$3.00 fee shall be charged on all identification pictures, report copies, and fingerprints requested from the police department. This fee shall not be charged or collected from law enforcement agencies when obtaining such pictures, report copies, and fingerprints for use in law enforcement.

(d) All seized or unclaimed property impounded by the Gadsden police department and sold after a period of one year, at public auction.

(e) All motor vehicles impounded by the Gadsden police department shall have a minimum of \$5.00 as impounded fee attached, including a \$1.00 per day storage fee to be collected by the city.

(f) All impounded motor vehicles not claimed or transferred back to the owner within 90 days will be auctioned to the public.

(g) All city facilities, buildings, property and concessions upon availability shall be open to the use of the fire and police departments' pension committee to have benefits and other fund raisings at actual cost.

(h) Ten percent (10 percent) of the monthly salaries of each member of such police and fire departments, which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said 10 percent of such salaries shall be deducted from said salaries paid each member. The governing body the city to which this act applies shall cause to be paid into the policemen's and firemen's retirement fund, out of the treasury of the city, beginning January 1, 1976, an amount equal to 15.68 percent of the salary of each member of such police and fire department who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section.

Existing funds and property belonging to or part of any existing similar fund in the city of Gadsden to which this act applies and hereby brought under this act shall be hereafter governed by the provisions of this act, shall be held and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement fund as provided herein, immediately upon this law, becoming effective.

Section 7. The board of trustees of the policemen's and firemen's retirement fund may, at any time, with the approval of the governing body of the city of Gadsden employing such policemen and firemen, after considering the probable demands upon such fund in the near future, determine what portion of such fund may be safely withdrawn for investment for revenue purposes, and having determined what portion thereof shall be so withdrawn for that purpose, said board of trustees shall then determine in what manner such investment shall be made, and all proceedings of said board of trustees relating thereto shall be entered at length upon its records. Such investment shall only be by purchase of the interest bearing bonds of the United States of America, or in any stock,

security, investment, or deposit which is guaranteed by the United States Government or any of its instrumentalities; provided, however, the board may by majority vote elect to invest up to twenty percent (20 per cent) of the total assets of the pension fund in such classes of bonds, mortgages, common and preferred stock or other investments as are allowed by the laws of Alabama to domestic life insurance companies, or by a majority vote of Policemen and Firemen up to 100 percent of said fund may be invested in any sound financial institution to include Insurance Companies or Bank and Trust Companies. All income from such investments shall be and become a part of said policemen's and firemen's retirement fund. All such securities shall be deposited with the secretary-treasurer of the board of trustees, and shall be subject to the management and control of said board of trustees of the policemen's and firemen's retirement fund.

Section 8. The board of trustees shall make a monthly report to the board of commissioners or other governing body of the city employing such policemen and firemen concerning the condition of such policemen's and firemen's retirement fund. The said board of trustees shall keep minutes of every meeting in a well bound book designed for that purpose which said minute book shall be available to any contributing member of said police department or fire department on his request. Each six months said board of trustees shall post in a conspicuous place in each police station and each fire station in the city a statement itemizing all receipts, disbursements, expenditures and pensions paid by said board for the preceding six (6) months period, stating in detail the source of such receipts, and to whom all such expenditures, disbursements and pension payments were made, together with the amount of each. All such records shall be available to any contributing members at any time upon request.

Section 9. All monies ordered to be paid from such policemen's and firemen's retirement fund shall be paid by the secretary-treasurer of such fund only upon warrants signed by the chairman of such board of trustees and countersigned by one associate member of such board of trustees and by the secretary-treasurer; and no warrant shall be drawn on such fund except by order of the board of trustees, which shall be duly and regularly entered in the record of the proceedings of the board of trustees. Any monies wrongfully paid from such fund shall be charged against the members of said board of trustees.

Section 10. No portion of the said policemen's and firemen's retirement fund shall, before or after its order for distribution by the board of trustees to the person or persons entitled thereto under the provisions of this subdivision, be held, seized, taken, subjected to, detained, or levied upon, by virtue of any attachment, garnishment, execution, injunction, writ, order, decree or any other process whatsoever, issued out of or by any court of this state, for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or decree, against any beneficiary of such fund, but shall be exempt therefrom. Said fund shall be sacredly kept, held and distributed for the purposes named in this subdivision, and for no other purpose whatsoever.

Section 11. If at any time there shall not be sufficient money in the policemen's and firemen's retirement fund to pay each person entitled to the benefit thereof the full amount per month as herein provided, then an equal percentage of such monthly payment or payments shall be made to each beneficiary until the said fund shall be replenished to warrant the payment in full to each of the said beneficiaries. The board of trustees is

authorized to take such action as it deems necessary periodically to determine the actuarial status of the pension fund.

Section 12. 1. No person retired under the policemen's and firemen's retirement fund can be re-employed by the city of Gadsden in any department without first having signed an agreement forfeiting his or her pension benefits during the time of re-employment. Benefits shall be resumed upon termination of employment. In no instance shall the benefits lost during the time of re-employment be recovered by said person.

2. Any member of the police and fire department of a city to which this act applies who has been in continuous service thereof for as long as twenty years, upon making written application to the board of trustees, therefor, shall, without medical examination or disability, be retired from service in such department and upon such retirement the board of trustees shall direct the payment to such retired member, monthly from such fund the amount hereinafter provided for his or her particular position, office, salary, or class of work. However, any member of such police or fire department who has become a new employee as of June 1, 1975, must serve a mandatory twenty-five (25) years consecutive service before receiving retirement benefits. Also, any person employed on or before June 1, 1975, who will have served twenty-five (25) years effective June 1, 1980, may then retire at 55 per cent of his or her salary not to exceed \$7,000.00 per year. Also, any person employed on or before June 1, 1975, who will have served thirty (30) consecutive years effective June 1, 1985, may then retire at 60 per cent of his or her salary not to exceed \$8,000.00 per year. In no instance however, may any employee be eligible to retire at 55 per cent of his or her salary not to exceed \$7,000.00 per year until or unless on June 1, 1980, he or she shall have then already served twenty-five (25) consecutive years in such police or fire departments, and in no instance, however, may any employee be eligible to retire at 60 percent of his or her salary not to exceed \$8,000.00 per year until or unless on June 1, 1985, he or she shall have then already served thirty (30) consecutive years. Each rank must be held two years before retirement. Any person having met the requirements for retiring under this Section must undergo a moratorium period of ninety (90) days before receiving any monthly payment of benefits.

3. All members retiring before the twenty-fifth (25) anniversary date must undergo a moratorium period of at least one full year before receiving any monthly payment of benefits unless the board feels that for reasons of mental or physical disability or some similar tragic circumstances, this requirement could be waived.

4. All members employed prior to June 1, 1975 who retire before the twenty-fifth (25) anniversary date shall undergo a moratorium period of at least one full year before receiving any monthly payment of benefits unless the board feels that for reasons of mental or physical disability or some similar tragic circumstance, this requirement could be waived.

Section 13. 1. The board of trustees shall have the power and authority and it is hereby made mandatory that it shall retire from service in the police and fire department of any city to which this act applies any member thereof, who has attained the age of sixty-five (65) years, and the said board of trustees shall direct the payment to such retired member, monthly, from said fund, the amount of money hereinafter provided for his, or her, particular position, office, salary, or class of work.

Section 14. Except as otherwise provided in this subdivision each member who has been or who hereafter is retired shall receive a retirement

benefit equal to fifty per centum of the salary received at the date of his retirement.

Provided, further, each member who retires after twenty years consecutive service shall ninety days after retirement (unless retired at age 65 or later or for reasons of disability) be paid a retirement benefit of 50 per cent of the salary he or she was receiving at the time of retirement. Each member who retires after having served twenty-five consecutive years and whose retirement commences on or after June 1, 1980, shall be paid a retirement benefit of 55 per cent of the salary (not to exceed \$7,000.00) he or she was receiving at the time of retirement—effective date June 1, 1980. Each member who retires after having served thirty consecutive years and whose retirement commences on or after June 1, 1985, shall be paid a retirement benefit of 60 per cent of the salary (not to exceed \$8,000.00) he or she was receiving at the time of retirement effective June 1, 1985. This section supercedes any subdivision of the law which may be in conflict herewith. In no instance, however, shall any retired member or survivor be entitled to receive an adjustment monetarily to his, or to her retirement benefit, which he or she is now receiving.

Provided, further, that retired personnel shall, if six of the seven trustees approve, receive, ninety (90) days after the approval, up to a maximum of 20 per cent of an increase in salary accorded active members.

Section 15. If any member of the police or fire department of a city to which this act applies is, on proper application, found by the board of trustees to be physically or mentally permanently disabled so as to render him or her unable to fulfill the duties of his or her particular position, or job, the board of trustees shall order and direct, the payment of the proper amount of money, as prescribed in this act, after said board of trustees has directed, or approved the retirement of a physically or mentally disabled member.

Section 16. 1. If a person applies for disability, he or she must undergo an examination by two doctors named by the board of trustees and one of his or her choice. Application for disability retirement must suggest name of one member of panel of doctors to examine the applicant to determine disability and the trustees shall select one and if any dispute, may select a third. After any member of such of such police or fire department shall have retired upon pension by reason of disability the said board of trustees shall have the right and authority, at any time, to cause such retired member to be brought before the city physician and two (2) other physicians or surgeons, the retired member having the choice of bringing or selecting either his or her own personal physician, total number of physicians not to exceed the above mentioned number of three. The retired member shall be examined by the above named physicians to determine whether such disability yet continues, and the findings of the three physicians shall determine whether the retired disabled member is capable of returning to active job status. If the findings of the physicians are such that they affirm that the retired disabled member is capable to carry on active job status, then this retired disabled member shall be immediately stricken from the pension roll by the board of trustees, and be immediately notified to return to work in, and to, the respective department from whence he, or she, was retired. If after proper notification, such retired member fails to return to work, after a period of thirty days, or fails to show just cause, either through the courts, or other means, then the person shall forfeit his, or her, right to reinstatement with the city of Gadsden police or fire departments whichever.

2. The board of trustees, when questioned whether a person is legally drawing monies from said pension fund, must, within thirty days appoint a five (5) member investigating committee from the ranks of the police and fire departments, said committee shall return such investigative findings in writing to a meeting of the board of trustees who shall notify the original petitioner of the meeting and request his or her presence.

Section 17. If any active member of such police or fire department, or any member of such department on official leave of absence from such department and in the armed forces of the United States, shall die from any cause whatever, leaving a widow or widower, said board shall direct the payment from said fund, to said widow or widower, of a sum equal to fifty percent of the amount specified in this act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his or her death, said monthly payments to continue to such widow or widower during his or her natural life and while unmarried. Should such deceased member leave no surviving widow or widower, but leave surviving him or her a child or children under eighteen years of age, the board of trustees shall direct the payment monthly from such fund, until such child or children have attained the age of eighteen years, of a sum equal to fifty percent of the amount specified in this act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his or her death, to the person having control and custody of such child or children or to such other person as the board of trustees shall direct, said sum to be expended by such person for the benefit of such child or children as may be prescribed by the board of trustees. Should such deceased fireman or policeman leave no widow or widower or child, but a widowed mother entirely dependent upon him or her for support, the board of trustees shall pay to her monthly, during his or her natural life, so long as he or she remains unmarried, a sum equal to fifty percent of the amount specified in this act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his or her death.

Section 18. If any retired member of such police or fire department shall die from any cause, leaving a widow or widower, said board shall direct the continuation, from the date of such death of fifty percent of the monthly retirement payments of such deceased retired member to be paid to such widow or widower of such deceased retired member during his or her natural life while unmarried. Should such deceased retired member leave no widow or widower surviving him or her, but leave surviving him or her a child or children under eighteen years of age, the board of trustees shall direct the payment monthly from such fund, until such child or children shall have attained the age of eighteen years, of a sum equal to fifty percent of the monthly retirement payments of such deceased retired member of the person having control and custody of such child or children or to some other person as the board of trustees shall direct, said sum to be expended by such person for the benefit of such child or children as may be prescribed by the board of trustees. Should such deceased retired firemen or policemen leave no widow or widower or child, but a widowed mother, entirely dependent upon him or her for support, the board of trustees shall pay to her monthly, during her natural life, so long as she remains unmarried, of a sum equal to fifty percent of the monthly retirement payments of such deceased retired member.

Section 19. When the widow or widower, or children or widowed mother of an active or retired member of the police or fire departments shall be entitled to benefits under this subdivision, such widow or widower, or children, or widowed mother shall make or cause to be made an

application to the board of trustees through the secretary-treasurer of such board which shall show, in the case of the widow or widower, proof of the marriage of the deceased to the claimant, by marriage certificate or other competent evidence, and proof of the widowhood of the mother of such deceased member, and her dependency for support upon him or her shall be shown by affidavits of such widowed mother or disinterested persons, and the ages of such children shall be shown by birth certificate or other competent evidence. All such applications and proofs shall be kept and retained in the custody of the said board of trustees.

Section 20. If for any reason, any member of the police or fire department should leave the employment of such police or fire department, for any reason, before he or she becomes entitled to retirement benefits, then he, or she, shall have returned, to such member within 90 days after written application therefor that portion deemed vested by the board of trustees.

Section 21. No member of said police department or fire department, who is not now contributing to said retirement fund, shall be entitled to participate in said retirement fund, or required to make contributions thereto, unless at the time he qualifies therefor he may be not less than twenty-one (21) years of age and not more than thirty-five (35), years of age, establish by an examination of him by a duly licensed and practicing physician that he is physically and mentally sound, and establish by examination of duly licensed and qualified specialists that his vision, hearing and heart are in good physical condition.

Section 22. The term "member of such police department" shall include chief of police, assistant chiefs of police, chief of detectives, captain of police, lieutenants of police, sergeants of police, identifications officers, superintendent of identification, lieutenant of detectives, patrolmen and any full time, regularly employed and compensated, bonded and sworn peace officer under the direct supervision of the chief of police of the city. The term "member of such fire department" shall include the following in said department: Chief, assistant chiefs, captains, lieutenants, mechanics, drivers, firemen, fire marshal or fire inspector, drill master or instructor, division or battalion chiefs, superintendent of fire alarm systems, and any full time, regularly employed and compensated, officer or employee engaged in fire fighting under the direct supervision of the chief of said fire department. No other officer, employee or person shall be eligible to participate in said retirement fund, notwithstanding the provision of any civil service law, state statute, city ordinance or rules and regulations of said board.

Section 23. There shall be kept by the secretary-treasurer of the board of trustees a book to be known as the list of retired policemen or firemen. Such book shall also give a full and complete history and record of the action of the said board of trustees in retiring any and all persons under this subdivision, showing the names, date of entering the service of such police or fire department, date of retirement and the reason for such retirement, if any.

Section 24. It shall be the duty of the city attorney or such assistant city attorney as may be designated by the board of commissioners or other governing body of the city to give advice to the said board of trustees in all matters pertaining to the duties of the said board of trustees and the management of such fund, whenever requested to do so, and he shall represent and defend the said board of trustees as its attorney in all suits

and actions at law or in equity that may be brought against it, and in all suits and actions in its behalf that may be required or determined upon by said board of trustees. Such city attorney shall serve as such attorney of the board of trustees without compensation additional to the salary paid him as such city attorney.

Section 25. The board of trustees shall be authorized to pay out of such fund all reasonable and necessary expenses including cost of bond herein provided for that may be incurred by it in and about the management and administration of such fund, provided that in no event shall the members of said board of trustees receive any salary or compensation for their services out of said fund.

Section 26. Within ten (10) days after any final decision of the board of trustees, any party including the governing body of such city feeling aggrieved at the decision of the board of trustees may appeal from any such decision to the circuit court of the county in which such city is located and such appeal shall be heard by a judge sitting without a jury. Upon the filing of any such appeal, notice thereof shall be served upon any member of the board of trustees by the appellant. Such appeal shall be heard by the court at the earliest possible date, and it shall not be necessary on any such appeal to enter exceptions to the rulings of the board of trustees and no bond shall be required for such an appeal and such an appeal shall be effected by filing a notice and request therefor by the appellant with the clerk of said court. An appeal may be taken from any decision of such court to the court of appeals or the supreme court as now provided by law.

Section 27. The provisions of this act shall supercede all existing provisions of law, general or local relating to the policemen's and firemen's retirement fund of any city to which this act applies, and any such fund existing at the time of the passage of this act is hereby transferred to and made a part of the retirement fund created in this act. All other laws, or parts of laws, in conflict herewith are hereby expressly repealed.

Section 28. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 29. All laws or parts of laws, general or local, which conflict with this act are hereby repealed.

Section 30. This act shall take effect upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Walter Betz, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 20th, August 27th, September 3rd, and September 10th, all in the year 1975.

WALTER BETZ.

Sworn to and subscribed before me September 9th, 1975.

PEGGY CULBERSON,
Notary Public.

Also:

By Messrs. Baker and Whatley:

H. 1853. To provide for and prescribe the form of government for any city having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census; and to provide for the abandonment of the existing form of government.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1469, 158, 1841, 1842, 1843, 1844, 1848 and 1853. To the Committee on Local Legislation No. 1.

H. B. 860. To the Committee on Finance and Taxation.

(The above numbered Bill, H. B. 1469, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McMillan and Kinsey:

H. 1857. Relating to all counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing for service of process in civil cases by registered mail.

Also:

By Messrs. McMillan and Kinsey:

H. 1858. To apply only in counties having a population of not less than 57,000 nor more than 61,000; providing for service of witness subpoenas by mail.

Also:

By Mr. McNees:

H. 1860. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of

fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

By Mr. McNees:

H. 1861. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

By Mr. Smith (M):

H. 1863. Relating to all counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; authorizing the taking of non-game fish by the use of wire mesh baskets, thread hoop nets, or wooden baskets, and prescribing a license tax therefor; and prescribing penalties for violations of the act.

Also:

By Mr. McCluskey:

H. 1868. To amend further Act No. 68, H. 92, First Special Session 1956, an act fixing the compensation of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

Also:

By Messrs. Kinsey and McMillan:

H. 1876. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, and to provide an effective date.

Also:

By Messrs. Crawford and Sasser:

H. 1688. Relating to counties having a population of not less than 22,250 nor more than 23,000 inhabitants according to the most recent federal decennial census; to provide that no claim presented to the county

commission need be sworn to and that no testimony need be presented as to whether any part of such claim has been previously paid.

Also:

By Messrs. Merrill and Shelton:

H. 1835. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Also:

By Mr. Johnson:

H. 1837. Relating to counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; providing for the salaries of the chairman and associate members of the civil service boards of such counties and repealing all conflicting laws.

Also:

By Messrs. Williams and Sasser:

H. 1838. Relating to Dale County, amending Act No. 2038, H. 2618, Regular Session 1971 (Acts 1971, p. 3270), which act prohibits certain sales of alcoholic beverages in said county, so as to allow the sale of malt and brewed beverages for off-premises consumption.

With notice and proof thereto attached and herewith exhibited as follows:

SYNOPSIS

This Act proposes to amend Section 1 of Act No. 2038, Regular Session of the Legislature 1971, to allow sale of malt and brewed beverages for off-premises consumption in all areas of Dale County and to continue to restrict the sale of spirituous or vinuous beverages or malt or brewed beverages for on-premises consumption to within the corporate limits of municipalities of Five Hundred (500) population or more with a full time police force.

A BILL TO BE ENTITLED AN ACT

Relating to Dale County; to amend Section 1 of Act No. 2038, Regular Session of the Legislature 1971, concerning the sale of alcoholic beverages in certain places.

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Section 1 of Act No. 2038, Regular Session of the Legislature 1971, be and the same is hereby amended to read as follows:

"It shall be unlawful for any person, firm or corporation to sell or offer for sale any spirituous or vinuous beverages, or malt or brewed beverages for on-premises consumption in Dale County except within the corporate limits of an incorporated municipality with a full time law enforcement agency and a population of not less than Five Hundred (500) according to the most recent decennial census."

SECTION 2. This Act shall become effective upon its passage by the Legislature of Alabama and its approval by the Governor of Alabama or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joseph H. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 20, 27, September 3, and 10, all in the year 1975.

JOSEPH H. ADAMS.

Sworn to and subscribed before me 10 September, 1975.

IRENE MATHIS,
Notary Public.

Also:

By Messrs. Brindley and Jolly:

H. 1850. Relating to the thirtieth judicial circuit; providing for the compensation of the clerk-secretary for the office of district attorney of said judicial circuit; and prescribing the duties of such clerk-secretary.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the thirtieth judicial circuit; providing for the compensation of the clerk-secretary for the office of district attorney of said judicial circuit; and prescribing the duties of such clerk-secretary.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk-secretary to the district attorney of the thirtieth judicial circuit shall receive a monthly salary of \$200.00 per month to be paid out of the general fund of Blount County.

Section 2. Such clerk-secretary shall do all the clerical and secretarial work required by the district attorney of said thirtieth judicial circuit of Alabama, and shall keep such records and perform such other

duties pertaining to the office of the district attorney as shall be instructed or required to do by the district attorney of the judicial circuit. Such clerk-secretary, when directed by the district attorney, may enter the grand jury room when the grand jury is in session for the purpose of taking down the testimony of witnesses and later transcribing it for the use of the district attorney or his deputies and assistants.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 14, August 21, August 28, and September 4, all in the year 1975.

MRS. R. M. HOWARD.

Sworn to and subscribed before me September 4, 1975.

JANE HILL,
Notary Public.

Also:

By Mr. Cates:

H. 1851. Relating to all counties of not less than 22,000 population nor more than 22,500 population according to the most recent federal census, fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

By Messrs. Hines and Warren:

H. 1852. Relating to Escambia County; to give the members of the county commission an additional monthly expense allowance.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; to give the members of the county commission an additional monthly expense allowance.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the Escambia County commission shall be entitled to an additional monthly expense allowance in the amount of \$100 per month. This expense allowance shall be in addition to any and all other salary, compensation and expense allowances provided for by law and shall be paid from the county general fund.

Section 2. The provisions of this act shall become effective on the first day of the month next following the date when this act becomes law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
ESCAMBIA COUNTY

Harvey Cooke, being duly sworn, deposes and says that he is the manager of The Atmore Advance, a Weekly Newspaper published at Atmore, Escambia County, Alabama; that the notice hereto attached of A Bill To Be Entitled An Act Was published in said newspaper for 4 consecutive weeks in the following issues: Date of 1st publication July 31, 1975; Date of 2nd publication Aug. 7, 1975; Date of 3rd publication Aug. 14, 1975; Date of 4th publication Aug. 21, 1975.

HARVEY COOKE,
Manager.

Subscribed and sworn before the undersigned this 8 day of Sept. 1975.

FRANCES BLACKBURN,
Notary Public, Escambia County.

My Commission Expires Oct. 14, 1976.

Also:

By Messrs. Kelley and Mitchem:

H. 1845. To create a 12 member Board to serve as a County Wide Rural Sanitation Board, for Marshall County, Alabama to assist in obtaining sewage treatment and disposal facilities for said County.

With notice and proof thereto attached and herewith exhibited as follows:

RURAL SANITATION BOARD
PROPOSED LEGISLATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be

introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create a 12 member Board to serve as a County Wide Rural Sanitation Board, for Marshall County, Alabama to assist in obtaining sewage treatment and disposal facilities for said County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established a Rural Sanitation Board for Marshall County which shall be composed of twelve (12) members and shall be appointed by the State Legislature. The terms of office for the members of this board shall be as follows:

3 members for a term of one (1) year.

4 members for a term of two (2) years.

4 members for a term of three (3) years.

1 member—The Chairman of the Marshall County Commission shall serve as long as he remains in office.

Section 2. This Rural Sanitation Board shall have the authority to apply for and execute any and all necessary papers and documents to obtain or secure rural sanitation treatment stations.

Section 3. There shall be a minimum of \$25,000 per year appropriated to the Board from any funds the County Administrative Officer has available. This money may be used as matching money to obtain additional monies or may be used to construct new facilities outside any corporate limits for the purpose of sewage treatment or disposal.

Section 4. Each of the members of the Rural Sanitation Board are to receive no additional compensation for their services to this Board.

Section 5. If, for any reason, this Board fails to function after a period of four (4) years, any money appropriated to the Board will revert to the General Fund of the Marshall County Commission.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

Rural Sanitation Board Proposed Legislation to create a 12 member board as a county wide Rural Sanitation Board.

Before the undersigned authority personally appeared Porter Harvey who being first duly sworn deposes and says that he is a representative of the Guntersville Advertiser-Glean, a Newspaper published semi-weekly in the City of Guntersville, Marshall County, Alabama; that the notice attached below has been published in said newspaper for four successive weeks in the issue or issues of said paper dated July 31, Aug. 7, 11, 18,

respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit.

PORTER HARVEY.

Subscribed and sworn to before me this 3rd day of Sept. 1975.

JOHNNIE COUCH,
Notary Public.

My Commission Expires Sept 11, 1977.

Also:

By Messrs. Smith (M), Higginbotham and Morris:

H. 1862. Relating to all counties having a population of not less than 35,000 nor more than 38,000 inhabitants according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; authorizing the taking of non-game fish by the use of wire mesh baskets, thread hoop nets, or wooden baskets, and prescribing a license tax therefor; and prescribing penalties for violations of the act.

Also:

By Mr. Crowe:

H. 1874. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

By Mr. Crowe:

H. 1875. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

By Messrs. Greer and Coburn:

H. 1348. To provide for supplementing the salaries or compensation paid to semi-retired or retired circuit judges in the 11th Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1857, 1858, 1860, 1861, 1863, 1868, 1876, 1688, 1835, 1837, 1838, 1850, 1851, 1852, 1845, 1862, 1874, 1875 and 1348. To the Committee on Local Legislation No. 1.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flippo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Manley, McCorquodale, Warren, Sandusky, McCluskey, Sonnier, Wyatt, Gafford, Turnham, Waggoner, Smith (J), Lockett, Campbell, Kinsey, Plaster, Dial, Jackson (F), Whatley, Edwards, Lee, Morris, Owens, Carter, Rich, Carothers, Cross, Smith (M), Boles, Higginbotham, Cates, Coburn, Naramore, Callahan, Drake, Robertson, Teague, Moore (W), Barron, Venable, Harris, Shelton, Clark and Crowe:

H. 1316. To designate the Alabama Historic Commission as the agency responsible for retaining the historic and architectural integrity of the State Capitol, a National Historic Landmark.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1316. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 857. To revise the fee schedule for services rendered in probate offices and establish a new schedule for such services; and to repeal Code of Alabama 1940, Title 11, Section 29, and other general laws of state-wide application in conflict herewith.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Cross, Manley and McCluskey.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 857, the title of which is set out in the foregoing Message from the House.

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Bank, Fine and Torbert.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 460. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

Also:

S. 461. To amend Title 48, Section 462, Code of Alabama 1940, which relates to unlawful riding on trains, busses and trucks, so as to increase the penalty therefor.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McMillan, McCulley, Warren, Carothers, Campbell, White, Crowe, Smith (C), Sonnier, Carter, Smith (B), Cates, Baker, McCluskey, Dial, Kelley, Kinsey, Sandusky, Smith (M), Waggoner and Moore (O):

H. 283. To authorize the County Commission or like governing body of each of the several counties to appoint an Engineer Trainee; to provide for the qualifications and duties of such Engineer Trainee; and to provide for State participation in the salary of such Engineer Trainee appointed.

Also:

By Messrs. McMillan, McCulley, Warren, Campbell, Crowe, Smith (C), Carothers, Sonnier, Starkey, Carter, Smith (B), Cates, Baker, Folmar, Dial, Kelley, Kinsey, Sandusky, Smith (M), Coburn, Waggoner and Moore (O):

H. 288. To provide that all monies received by Counties from motor vehicle license taxes and registration fees under provisions of Title 51 § 713, Code of Alabama, as amended, shall be deposited in a fund known as the Public Highway and Traffic Fund and used for the purpose of construction, improvement and maintenance of public highways or streets including administrative expenses in connection therewith, retirement of securities evidencing obligations incurred for payment of cost of such construction, improvement and maintenance, costs of traffic regulation and expense of enforcing state traffic and motor vehicle laws.

Also:

By Messrs. Coburn, Riddick, Merrill, Plaster, Folmar, Robertson, McNair, Naramore, Weeks, McCluskey, Gafford, Teague, Wyatt, Greer, Johnstone, Hill, Kinsey, Smith (M), Sonnier, Kelley, Holmes, Martin, Albright, Brindley, Starkey, Goodwin, Sasser, Reed, Johnson, Roberts, McNees and Crawford:

H. 348. A Bill to be known as the "Deceptive Trades Practices and Consumer Protection Law;" defining certain words and phrases; creating an Office of Consumer Protection and delegating authority and prescribing responsibilities for that office; authorizing the Office of Consumer Protection and the Office of the Attorney General to receive Federal funding; delegating authority to and prescribing responsibilities for the Attorney General; establishing and prohibiting unlawful trade practices; providing for the promulgation and interpretation of rules and regulations; providing for exemptions from this Act; authorizing the Attorney General to restrain prohibited acts and to seek other relief; providing for the powers of receivership; providing for private actions; providing for assurances of voluntary compliance; authorizing the Attorney General to investigate for prohibited acts; issue subpoenas and hold hearings; providing for service and enforcement of investigative demands; providing penalties; providing for the jurisdiction of the Act; establishing a statute of limitations; and providing for conditional appropriations to the Office of Consumer Protection.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 283, 288 and 348. To the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flippo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Waggoner:

H. 1707. Relating to medical clinic boards organized under Act No. 516 (1955 Regular Session), as amended; providing that in cases where any debt service reserve fund established by a medical clinic board is to be entirely funded out of bond proceeds, it will not be necessary for the rental under any related lease to include amounts sufficient to build up such debt service reserve and, in such cases, dispenses with the necessity of any findings by the Board of Directors of any such medical clinic board with respect thereto; providing that medical clinic board bonds may mature at such time or times not exceeding forty years from their date; providing that refunding bonds issued by such a medical clinic board need not be payable solely out of the same revenues out of which the refunded bonds were payable; and specifying that all the aforesaid provisions shall apply both prospectively and retrospectively except in certain specified cases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1707. To the Committee on Rules.

INTERIM COMMITTEE REPORT FILED

The report of the Interim Committee to Study Sunday Closing (Blue Laws), created under the provisions of H. J. R. 116, was read and ordered filed with the Secretary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 933. To amend Sections 15, as amended, 16 and 26 of Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats and equines, and poultry, and the preparation of carcasses, parts thereof, meat and meat food products of such animals, etc.; amend Sections 15 and 16 of said Act No. 1049 which relate to exemptions from the provisions of said Act by rules and regulations, and amend Section 26 of said Act No. 1049 which relates to enforcement of said Act by injunctive proceedings.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 300. To provide a definite statute of limitations in liability actions; to eliminate the ad damnum clause in complaints alleging liability; to define the duty of care; to require warranties of cure to be in writing; to prevent advance payments from being considered admissions of liability. In lieu of the scintilla rule, to require evidence of substantial weight and provative effect in medical liability actions; to provide for periodic payments of awards in medical liability actions; to authorize the Insurance Commissioner to establish a joint underwriting association and to provide rules for such joint underwriting associations; to provide for voluntary arbitration of disputes; and to require insurance carriers to report claims and costs incurred to the Insurance Commissioner.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flippo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning Senate Bill Number 887 and containing a suggested Executive Amendment.

Respectfully submitted,

HENRY B. STEAGALL, II
Executive Secretary

DONE THIS 18 DAY OF SEPTEMBER, 1975.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 887 without my signature and approval for the reason that in my opinion there should be a stronger strip-mining bill with enforcement powers and penalties for violations included therein. I am aware, however, that this session of the Legislature is rapidly coming to a conclusion and that there is little likelihood of a stronger strip-mining bill being enacted at this time. Thus, it is better to have Senate Bill 887 than no strip-mining law at all.

However, I do suggest that Senate Bill 887 returned herewith be amended in order that this bill contain an enforcement provision. It is, therefore, my suggestion that you amend Senate Bill Number 887 by deleting subsection (1) of Section 17 in its entirety, and substituting in lieu thereof the following:

"Should the Commission determine that any final order made by it under the procedure set forth in Section 16, not then the subject of judicial review, is being violated by any operator, then the Commission may cause to have instituted a civil action in any court of competent jurisdiction for injunctive or other appropriate relief to prevent any further or continued violation of such final order. The court may levy a fine of up to Ten Thousand (\$10,000) Dollars for each day said operator continues to violate said final order. In the event of a willful failure of the Commission to act on any complaint filed pursuant to Section 16 of this Act, the Attorney General of the State of Alabama may institute such action against the Commission, including mandamus, as may be appropriate to compel the Commission to discharge the duties conferred upon it by this Act, which action shall be instituted in the Circuit Court having jurisdiction of the county in which the offense alleged in such complaint occurred."

The adoption of the above and foregoing Executive Amendment will remove my objections to this bill.

Respectfully,

GEORGE C. WALLACE
Governor

GOVERNOR'S MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 887. To establish a system of regulation and control of coal surface mining and reclamation; a declaration of public policy and legislative intent; a section defining key provisions of this act; the creation and establishment of the Alabama Surface Mining Reclamation Commission with powers and authority; establishes necessity of licenses and qualifications for obtaining licenses, and provides for permits with a right to surface mine and proper application therefor; requires a reclamation plan and map; provides for removal of certain facilities; establishes blasting regulations and setback requirements; sets application fees, bond of operator, insurance requirement, sufficiency of surety, cancellation by surety and suspension of operator's permit; provides for posting of lands; provides for entry upon lands for inspection; provides for reporting of certain information by certain purchasers of coal and provides penalties for the failure to comply; provides for confidentiality of certain records; establishes violations, administrative procedures, procedure for appeals from orders of the Commission, provides for legal remedies, enforcement provisions; and penalties; establishes the Alabama Surface Mining Reclamation Fund; provides for citizens' suits; provides for rule making procedures; provides saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeals the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only; provides for approval of certain coal leases; provides for severability; sets effective date of the act.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 887, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor, returning Senate Bill Number 464, without the Governor's approval.

Respectfully submitted,

HENRY B. STEAGALL, II
Executive Secretary

DONE THIS 18 DAY OF SEPTEMBER, 1975.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill Number 464, without my signature and approval.

Respectfully,

GEORGE C. WALLACE
Governor

GOVERNOR'S MESSAGE

The Senate received the foregoing Message from His Excellency, the Governor, returning the Bill, S. B. 464, without his approval.

On motion of Mr. Owen, the Senate reconsidered the Bill:

S. 464. To further amend Section 89, Title 36, Code of Alabama 1940, as amended, which section regulates the size of motor vehicles allowed to travel on the public highways of this state, so as to further regulate the size of certain motor vehicles.

And said Bill, S. B. 464, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 22 Nays 10, the Governor's veto to the contrary notwithstanding.

Yeas:

Messrs. Adams, Bank, Clemon, Fine, Flippo, Foshee, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Torbert, Vacca, Wilson.

—22

Nays:

Messrs. Baker, Edwards, Ellis, Jones, King, Noonan, Roberts, Shelby, Stewart, Waldrop.

—10

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion by Mr. Flippo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning Senate Bill Number 185 and containing suggested Executive Amendments.

Respectfully submitted,

HENRY B. STEAGALL, II
Executive Secretary

DONE THIS 18 DAY OF SEPTEMBER, 1975.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, Senate Bill

Number 185 without my signature and approval and with the following suggested Executive Amendments.

I suggest that you amend the title by deleting the same in its entirety, and substituting in lieu thereof the following:

"Regulating further the licensing of passenger vehicles and pickup trucks to provide for the issuance of semi-permanent license plates with a tab or other device indicating the payment of the license tag for the current year."

It is my further suggestion that you further amend this bill by deleting Section 1 in its entirety, and substituting therefore the following:

"Section 1. License tags or plates issued for passenger vehicles and pickup trucks, which is here defined as any truck with two axles and a gross vehicle weight not exceeding 12,000 lbs. upon payment of the license fee prescribed by law for motor vehicles for the fiscal year beginning October 1, 1976, shall be designated and constructed in such a way that the digits indicating the year of issuance may be removed, covered up, or obliterated by affixing thereto a tab, disc, or other device bearing digits indicating another fiscal year. Tags or plates shall not be issued annually to evidence the payment of passenger vehicle and pickup truck license taxes for years subsequent to the fiscal year beginning October 1, 1976. In lieu thereof, tabs, discs, or other devices suitable for attaching to a motor vehicle tag or plate shall be issued upon the payment of the annual license tax prescribed for such vehicle by law, and, when duly affixed to the license plate, such tab, disc, or other device shall be evidence of the payment of the license fee due for the fiscal year indicated thereon. The license plate itself shall be valid for five years and shall be replaced or renewed at the end of that period. The commissioner of revenue shall prescribe the type or kind, the size and style of license plates, tabs, discs, or other devices hereby required. However, the tags, discs, or devices produced for the year 1977 shall be designed and constructed to conform with the recommendation of the American Association of Motor Vehicle Administration. The face of the license plate to be displayed shall be fully treated with a retroreflective material which will increase the nighttime visibility and legibility of the plate. The first issue of this 5 year tag shall be of a type graphically depicting our nation's 200th anniversary.

The adoption of the above and foregoing Executive Amendments will remove my objections to this bill.

Respectfully,

GEORGE C. WALLACE
Governor

GOVERNOR'S MESSAGE

On motion of Mr. McMillan, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 185. Regulating further the licensing of motor vehicles, to provide for the issuance of semi-permanent license plates with a tab or other device indicating the payment of the license tax for the current year.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 33; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—33

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 185, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—33

Nays:

—0

which was a majority of the whole number elected to the Senate.

ADJOURNMENT

At 10:05 P.M., on motion of Mr. Foshee, pending further consideration of the Bill, H. B. 490, the Senate adjourned until Tuesday, September 23, 1975, at 10 o'clock A.M.

THIRTY-SECOND LEGISLATIVE DAY

TUESDAY, SEPTEMBER 23, 1975

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Austin Moore, Jr., Pastor, Woodley Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson,

Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 34

JOURNAL

On motion of Mr. Mims, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

E. C. FOSHEE,
Chairman.

COMMITTEE REPORT

On motion of Mr. Foshee, the foregoing report was concurred in and the Journal of the Senate for the Thirty-first Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Mims, leave of absence was granted Mr. Weaver for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 300. To provide a definite statute of limitations in liability actions; to eliminate the ad damnum clause in complaints alleging liability; to define the duty of care; to require warranties of cure to be in writing; to prevent advance payments from being considered admissions of liability. In lieu of the scintilla rule, to require evidence of substantial weight and provative effect in medical liability actions; to provide for periodic payments of awards in medical liability actions; to authorize the Insurance Commissioner to establish a joint underwriting association and to provide rules for such joint underwriting association; to provide for voluntary arbitration of disputes; and to require insurance carriers to report claims and costs incurred to the Insurance Commissioner.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of

a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 408. To provide that all persons employed as guides in the Capitol complex shall be given the classification of "Capitol Hostess" under the provisions of the merit system and provides for additional compensation.

Also:

S. 460. To amend Title 48, Sections 215, 216, 217, 222, and 223, Alabama Code 1940, which provides for the appointment and exercise of powers of Railway Policemen, so as to provide the Governor power to enter into reciprocal agreements with other states, allowing Railway Policemen to exercise their power and authority in other states; to allow such policemen to register with the Secretary of State.

Also:

S. 461. To amend Title 48, Section 462, Code of Alabama 1940, which relates to unlawful riding on trains, busses and trucks, so as to increase penalty therefor.

Also:

S. 933. To amend Sections 15, as amended, 16 and 26 of Act No. 1049, S. 8, Legislature of 1969 (Regular Session), approved September 12, 1969 (Acts of 1969, Vol. III, pp. 1939-1965), an Act to provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats and equines, and poultry, and the preparation of carcasses, parts thereof, meat and meat food products of such animals, etc.; amend Sections 15 and 16 of said Act No. 1049 which relate to exemptions from the provisions of said Act by rules and regulations, and amend Section 26 of said Act No. 1049 which relates to enforcement of said Act by injunctive proceedings.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing report from the Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Vacca:

S. 1256. Relating to any county having a population of 600,000 or more according to the most recent federal decennial census; providing for the election of constables in any such county.

Committee on Local Legislation No. 2.

By Messrs. Pearson, McMillan, Clemon and Vacca:

S. 1257. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

Committee on Local Legislation No. 2.

By Mr. Waldrop:

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Committee on Local Legislation No. 1.

By Mr. Mims:

S. 1259. To authorize the establishment of a purchasing system to serve the State Forestry Commission.

Committee on Agriculture.

By Mr. Little:

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
RANDOLPH COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary line of the Town of Wedowee, Randolph County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Wedowee and in addition thereto the following described territory, to-wit:

SW¼, W½ of SE¼, W½ of NE¼, Section 4, Township 20, Range 11.

Section 2. That this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

THE STATE OF ALABAMA
RANDOLPH COUNTY

I, J. S. Schuessler, business manager The Randolph Press, a newspaper of general circulation published in the Town of Wedowee, Alabama, Randolph County, do hereby certify that the attached Legal Notice appeared in this newspaper on 8-20-75, 8-27-75; 9-3-75; 9-10-75.

J. S. SCHUESSLER.

Subscribed and sworn to before me this the 17th day of September, 1975.

CAROL LANE WOOD,
Notary Public.

My Commission Expires 4-25-77.

By Mr. Fine:

S. 1261. Relating to Marion County, Alabama, providing for a secretary for the courts of such county, prescribing the means of appointment and removal, the duties and compensation therefor.

Committee on Local Legislation No. 1.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at this session of the Legislature of Alabama a bill substantially as follows will be introduced and application for its passage and enactment will be made, that is to say:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County, Alabama, providing for a secretary for the Courts of such county, prescribing the means of appointment and removal, the duties and compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply to Marion County, Alabama, only.

Section 2. The presiding judge of the Circuit Court of Marion County, Alabama, may appoint a qualified person to serve as secretary to and for the Courts in Marion County, and shall fix the compensation therefor, which shall not exceed Five hundred dollars (\$500.00) per month, such sum to be paid out of the general funds of the county in like manner as the other county employees are paid. In the event the primary source of funds for payment of said court secretary shall become other than the said county, a sum not exceeding the above sum may be paid to said secretary as a supplement.

Section 3. Such secretary shall serve at the pleasure of said presiding judge, and shall perform such secretarial and clerical work as may be prescribed by said judge.

Section 4. Act No. 237, Acts of Alabama (Regular Session 1971) is hereby repealed.

Section 5. This Act shall become effective immediately upon its passage and approval, or upon its otherwise becoming a law.

STATE OF ALABAMA MARION COUNTY

Before me, the undersigned authority in and for said State and County, this day personally appeared Roger Quinn of the Marion County Journal, a newspaper published in Hamilton, Marion County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under the second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who being by me duly sworn, says that the legal notice, a copy of which is hereto attached, was published in the said Marion County Journal for 4 consecutive weeks. July 10, 1975, July 17, 1975, July 24, 1975, July 31, 1975.

ROGER QUINN.

Sworn and subscribed to before me, This 18th day of August 1975.

BUDDY HALL,
Notary Public.

By Mr. Waldrop:

S. 1262. To create a civil service board for cities having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census, providing for the composition of the board and terms of office, providing for the appointment of police and fire chiefs in such cities and prescribing their duties, providing for a grievance procedure for discharge, and providing for promotions of fire and police personnel.

Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 887. To establish a system of regulation and control of coal surface mining and reclamation; a declaration of public policy and legislative intent; a section defining key provisions of this act; the creation and establishment of the Alabama Surface Mining Reclamation Commission with powers and authority; establishes necessity of licenses and qualifications for obtaining licenses, and provides for permits with a right to surface mine and proper application therefor; requires a reclamation plan and map; provides for removal of certain facilities; establishes blasting regulations and setback requirements; sets application fees, bond of operator, insurance requirement, sufficiency of surety, cancellation by surety and suspension of operator's permit; provides for posting of lands; provides for entry upon lands for inspection; provides for reporting of certain information by certain purchasers of coal and provides penalties for the failure to comply; provides for confidentiality of certain records; establishes violations, administrative procedures, procedure for appeals from orders of the Commission, provides for legal remedies, enforcement provisions; and penalties; establishes the Alabama Surface Mining Reclamation Fund; provides for citizens' suits; provides for rule making procedures; provides saving and conforming provisions and establishes the effective date and orderly transition to said ~~new act and repeals the Surface Mining Act of 1969 (Act 399 Regular Session)~~ as to regulation of coal surface mining only; provides for approval of certain coal leases; provides for severability; sets effective date of the act.

by a majority of the whole number elected to the House, said vote being Yeas 78, Nays 0.

And said Bill S. B. 887, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the House, said vote being Yeas 76, Nays 0.

And said Bill S. B. 887, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

RESOLUTIONS

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 131. COMMENDING DEAN PIERCE FOR 20 YEARS AS DEAN OF EDUCATION AT AUBURN.

WHEREAS, Dean Truman N. Pierce relinquished his Deanship of the School of Education at Auburn University on August 31, 1975 after 20 years of outstanding service; and

WHEREAS, this fine friend, colleague and distinguished educator of Auburn University will be honored on October 10, 1975 at a recognition Banquet in Birmingham; and

WHEREAS, This body wishes to honor Dr. Pierce upon his dedicated and loyal service to Auburn University; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Dean Pierce for his fine accomplishments and wish him the best of luck upon his retirement from Auburn.

BE IT FURTHER RESOLVED, That a copy of this resolution be presented to Dean Pierce.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 132. DESIGNATING THE ENGINEERING EXPERIMENT STATION AT AUBURN UNIVERSITY THE ALABAMA PRODUCTIVITY CENTER

WHEREAS, the decline in the rate of productivity in the United States has contributed to inflation and adversely affected the competitive position of the United States in world markets; and

WHEREAS, this Body recognizes that a high rate of productivity is essential to a stable, sound economy capable of providing for the general welfare, health and happiness of all Alabamians; and

WHEREAS, there is a need to increase employment within the State and efforts should be made to enhance the competitive position of existing Alabama industry relative to that of the region and the nation by finding ways to improve the productivity of Alabama industry at a faster rate than the growth of the regional and national industrial base; and

WHEREAS, this Body recognizes the role of technology in efforts to improve productivity and the need for a designated group within State Government to coordinate federally funded programs for improving productivity; and

WHEREAS, the activities conducted under present Engineering Experiment Station programs are recognized as helping to meet needs and should be expanded to meet the increasing need for productivity improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Engineering Experiment Station at Auburn University is hereby designated the "Alabama Productivity Center" and to provide that this center shall administer research and development projects directed to improving productivity in the industrial, service and government sectors.

BE IT FURTHER RESOLVED, That the Alabama Productivity Center shall:

(a) promote efforts which will stimulate the adoption of new methods and technology in all sectors of the economy;

(b) establish a State policy which will encourage productivity consistent with economic needs and the needs to protect the environment and the work force;

(c) perform research and development projects in conjunction with those of the National Commission on Productivity and Work Quality and other Federal agencies;

(d) review productivity growth in the public and private sectors and make recommendations to the State for improving productivity growth.

BE IT FURTHER RESOLVED That an advisory council made up of representatives from industry and government shall be appointed by the Governor to provide guidance for the center and to act as liaison between the center and the various sectors of the Alabama production base.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 133. CREATING THE HISTORIC RESOURCES ADAPTORS COUNCIL.

WHEREAS Alabama's abundant industrial, professional and commercial historic landmarks reflect significant national achievements in manufacturing, commerce, science, invention and technology; and

WHEREAS historic buildings adapted and used as offices, classrooms, libraries and laboratories favorably reflect the outstanding accomplishments of Alabama physicians, attorneys, scientists, engineers, and educators; and

WHEREAS too many of these evidences of Alabama's educational, professional, commercial and industrial heritage have been demolished or have eroded with the passing of time, urban upheaval, suburban sprawl, and change; and

WHEREAS a growing number of merchants, shopkeepers, bankers, professional and service concerns are adapting mansions and cottages for viable present day market place and official use, with restored extensions which appeal to tourists and contribute to the economy; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Alabama legislature hereby creates the Historic Resources Adaptors Council, which, in cooperation with the Alabama Historical Commission, shall develop a program adapting, renovating and rehabilitating both residential and commercial landmarks with architectural and historic appeal.

The lieutenant Governor shall appoint three members from state at large, and the Speaker of the House of Representatives shall appoint two members from state at large from a list of nominees submitted by the Alabama Historical Commission to consist of affiliates who "work, serve or sell" in historic landmarks. The Alabama Historical Commission shall appoint two members from state at large; and the executive director of the Alabama Historical Commission, or his staff designee shall serve as an ex-officio member. The members of the Council shall consist of a representative of the Alabama State Chamber of Commerce, Alabama Bar Association, Association of Industries of Alabama, Alabama Retail Merchants Association, Medical Association of Alabama, Alabama Bankers Association, Alabama Education Association, Alabama League of Municipalities, and Central Alabama Regional Preservation Council

Members will serve terms of four (4) years each and shall serve without compensation and will meet no more than three times a year, one of which shall be in conjunction with the Annual Meeting of the Alabama Historical Commission.

The Historic Resource Adaptors Council is charged also, in cooperation with the Alabama Historical Commission, with the duty of organizing local, regional and area councils which will promote and encourage Alabamians to adapt, renovate, and rehabilitate industrial, professional and commercial historic landmarks.

On motion of Mr. Little, the Rules were suspended and the Resolution was adopted by the Senate.

SPECIAL ORDER

BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

S. 155. To provide in all counties having populations of not less than 150,000 nor more than 180,000 according to the most recent federal decennial census and in the largest municipality in any such county for the establishment of a joint city-county transportation pool; to provide for the operation of the transportation pool by a joint city-county division of service; to provide for the establishment of a transportation pool revolving fund and to authorize the city and county governing body to appropriate funds to the revolving fund; and to provide for the transfer of automobiles to the joint city-county division of service for use in the transportation pool.

And said Bill, S. B. 155, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Jones, Little, Littleton, McDonald (A), Mims, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Owen, further consideration of the Bill, S. B. 753, was indefinitely postponed by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 815. To amend Act No. 30, H. 69, Acts of Alabama, Regular Session 1953, approved May 28, 1953, relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale

County and providing that such roads and bridges shall be constructed, maintained, and repaired by the State Highway Department, by amending Sections 1, 2, and 5 thereof; providing that the county governing body shall have and exercise the power to set up projects within the county and to further determine the location of new roads and bridges within the county which may be established as an addition to or change in the existing county road system; providing that the State Highway Department shall cause its Lauderdale County Engineer, or Assistant Engineer, to personally meet with county governing body of Lauderdale County on a quarterly basis and make an up-to-date status report on the progress of the work of the State Highway Department relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County; and further providing that the State Highway Department shall prepare and file with the governing body of Lauderdale County on a quarterly basis each year a quarterly financial report relating to the construction, maintenance, and repair of the county roads and bridges of Lauderdale County by the State Highway Department under the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Flipppo, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, vacca, waiürop, Wilson.

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Nays:

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The Bill:

S. 859. To amend Section 10 of Act No. 249, S. 291, 1947 Regular Session (Local Acts of Alabama 1947, p. 174) entitled "An Act to provide for the City of Tuscaloosa a Civil Service System governing the appointment, removal, salaries, tenure and official conduct of employees of the City, defining violations of the Act, and imposing penalties for violation;" so as to remove the provision requiring applicants for employment to pay the city clerk a \$5.00 fee.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 860. To amend Section 7 of Act No. 357, S. 468, 1949 Regular Session (Acts of 1949, p. 524) entitled "An Act To provide for the government and control by Civil Service regulations of certain employees and classes of employees of Tuscaloosa County, Alabama, and to provide for a Civil Service board in said county and to fix its duties, authority, powers and method of compensation;" so as to eliminate the requirement that an applicant for employment pay a fee of \$5.00.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 947. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1096. To amend Act No. 91, S. 70, of the 1975 Third Special Session of the Legislature of Alabama to provide for secretarial, legal, clerical or administrative assistants for each circuit judge of all judicial circuits composed of only one county having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; and to fix the term of office and prescribe the pay for such assistants; and to provide for the payment of the salaries of such assistants out of the general fund of the county composing said circuits.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Gilmore, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1109. To amend Act No. 360, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971) and Section 3 and Section 11 (c) thereof, in particular, which acts create and establish the Houston County Court of Houston County, Alabama in order to repeal and abolish the jurisdiction, power and authority of the court to hear and decide cases and matters relating to divorce, domestic relations, separate maintenance, custody of children, desertion and non-support, juveniles and those actions and matters relating to juveniles and also to establish the qualifications of such judge of said court so as to abolish the requirement that the judge of the court must have been licensed to practice law in Alabama for five years and to provide for the transfer of such cases herein above enumerated, which are pending in the court upon the effective date of the passage of this bill, to the Circuit Court of Houston County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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The Bill:

S. 1057. To permit banks now or hereafter situated in Chambers County within beats or precincts seven and thirteen to establish, maintain or operate branch banks and branch offices within limits of beats or precincts seven and thirteen in said county for the conduct of a general banking and trust business; and to repeal conflicting laws.

was taken up.

Messrs. Little and Torbert offered the following amendment to the Bill, S. B. 1057, to-wit:

AMENDMENT TO S. B. 1057

Amend Senate Bill No. 1057 Page 1 Line 13, by striking out the words "or hereafter" after the word now.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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Messrs. Little and Torbert then offered the following amendment to the Bill, S. B. 1057, as amended, to-wit:

AMENDMENT TO S. B. 1057, AS AMENDED

Amend Senate Bill No. 1057 Page 1, by striking out the words "and thirteen" wherever they appear in the bill.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Torbert, Waldrop.

—25

Nays:

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And said Bill, S. B. 1057, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

—0

The Bill:

S. 1113. To provide for branch banking in Winston County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1114. Relating to the City of Montgomery in Montgomery County; to provide that the public street known as Fieldcrest Drive may not be constructed as a grade level crossing where it intersects the Central of Georgia railroad tracks; if Fieldcrest Drive is to be constructed as a four (4)-lane street in either direction from said railroad tracks, provided however, that Fieldcrest Drive may be opened as a grade level crossing if said street remains as a two (2)-lane street from either direction of the said intersection.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

S. 1125. Relating to all counties having populations of not less than 65,500 nor more than 75,200 according to the most recent federal decennial census; providing that an unincorporated community shall not be incorporated if the territory or any part of its corporate limits lies within the police jurisdiction of the corporate limits of any existing city or town within such county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flipppo, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan,

Owen, Pearson, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1132. Relating to Crenshaw County; to provide for the county solicitor's salary.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McMillan, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1131. Relating to Crenshaw County; to provide an additional expense allowance to the county solicitor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

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The Bill:

S. 1134. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1135. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1142. Relating to counties with a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to allow the collection of a solicitor's fee by the county in all appropriate cases of the county court whether or not the district attorney is present at the hearing of the case.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

—0

The Bill:

S. 1143. Relating to counties having a population of not less than

23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

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The Bill:

S. 1149. Relating to the thirty-fourth judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for a secretarial assistant for the office of district attorney of said judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

S. 1150. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to appropriate not more than 1¢ per person according to the 1970 federal decennial census for celebrating the bicentennial observance during the fiscal year 1975-76.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1151. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to pay \$5.00 to each person attending an official school for election officials and who serve as an election official in the next election following such school.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Flippo, Foshee, Gilmore, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1152. To authorize the county commission of all counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census to make expenditures from the county general fund for bi-centennial purposes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1159. Relating to all counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent or any subsequent federal decennial census; to provide that any probate judge who has served 15 or more years may elect to assume certain additional duties for extra compensation upon termination of office or retirement.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Gilmore, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1161. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide for an additional expense allowance for the court reporter of the circuit court of said counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Perry, Powell, Roberts, St. John, Shelby, Stewart, Wilson.

—25

Nays:

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The Bill:

S. 1164. To provide for supplementing the salaries or compensation paid to retired or supernumerary Circuit Judges in the 37th Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1165. Relating to any judicial circuit composed of a county having a population between 60,000 and 65,000 inhabitants according to the most recent or any subsequent federal decennial census; to provide for the fixing of fees of official court reporters of such judicial circuit to be taxed as court costs.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1173. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1174. To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census, the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, S. B. 1174, to-wit:

COMMITTEE SUBSTITUTE FOR S. 1174

A BILL TO BE ENTITLED AN ACT

To amend Section 3 of Act No. 1945, Regular Session of the 1971 Alabama Legislature to provide that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the

most recent or any subsequent federal decennial census, the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 1945 enacted by the Legislature of Alabama at the Regular Session of 1971 shall be and hereby is amended to read as follows:

"Section 3. QUALIFICATIONS. The person appointed as County Engineer, or Chief Engineer of the Division of Public Roads within the meaning of this Act shall be a registered professional civil engineer and land surveyor in the State of Alabama in good standing and in addition he shall have had not less than three years experience in the maintenance and construction of highways and bridges, except that in all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent or any subsequent federal decennial census, the county engineer need not be qualified as a land surveyor in order for the State Highway Department to participate in the payment of a portion of said county engineer's salary as provided in Section 5 of this Act."

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, S. B. 1174, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Manley:

H. J. R. 382. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two houses adjourn on Tuesday, September 23, 1975, they adjourn to meet on Thursday, September 25, 1975 and when the two houses adjourn on September 25, 1975, they adjourn to meet on Tuesday, September 30, 1975, and when the two houses adjourn on September 30, 1975, they adjourn to meet on Thursday, October 2, 1975, and when the two houses adjourn on October 2, 1975, they adjourn to meet on Thursday, October 9, 1975, and when they adjourn on October 9, 1975 they adjourn sine die.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 382, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1176. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for certain education officials in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flipppo, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

S. 1178. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

was taken up.

Mr. Perry offered the following amendment to the Bill, S. B. 1178, to-wit:

AMENDMENT TO S. B. 1178

On page 1, line 25, delete the word

“Southwest”

and insert in lieu thereof the word

Southeast

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Wilson.

—25

Nays:

—0

And said Bill, S. B. 1178, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1190. To repeal Act No. 829, H. B. 1454, Regular Session 1973, (Acts 1973, p. 1325), entitled, “An Act To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent federal decennial census.”

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

S. 1191. Relating to Marshall County; authorizing savings and loan associations to open, establish, operate and maintain branch offices.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

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The Bill:

S. 1192. To repeal Act No. 1632, H. B. 2379, Regular Session 1971, (Acts 1971, p. 2791), entitled, "An Act To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1193. Relating to Marshall County; regulating and prescribing the qualifications of persons engaging in the Bail Bond business.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Foshee, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1194. To repeal Act No. 114, H. B. 159, Special Session 1962 (Acts 1962, p. 148), entitled, "An Act To provide for the compensation and

expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act," and all acts amendatory thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1195. To repeal Act No. 1340, H. B. 2157, Regular Session 1971, (Acts 1971, p. 2288), entitled, "An Act To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1196. Relating to Marshall County; authorizing the county governing body to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars; and providing for the effective date of its provisions.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

S. 1197. To repeal Act No. 1336, H. B. 2153, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert.

—25

Nays:

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The Bill:

S. 1198. Relating to Marshall County; providing that the jury commission and board of registrars be allowed 10 extra authorized meeting days each year and providing further for an expense allowance for the members of said bodies.

Was read a thrd time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

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Nays:

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The Bill:

S. 1199. To repeal Act No. 1636, H. B. 2383, Regular Session 1971,

(Acts 1971, p. 2793), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

S. 1200. Relating to Marshall County; providing further for clerk-hire allowances for certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

S. 1201. To repeal Act No. 1644, H. B. 2391, Regular Session 1971, (Acts 1971, p. 2798), entitled, "An Act To increase the compensation of the judge of county court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1202. To repeal Act No. 110, H. B. 151, Third Special Session 1971, (Acts 1971, p. 4334), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from the county funds, for the register of the county court in any such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

S. 1203. Relating to Marshall County; providing additional compensation, payable from county funds, to the register of the circuit court for serving as register of the county court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldron, Wilson.

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Nays:

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The Bill:

S. 1204. To repeal Act No. 157, H. B. 173, Third Special Session 1971, (Acts 1971, p. 4401), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most decent (sic) federal decennial census; to provide compensation for the court reporter of the county court in such counties."

Was read a third time at length and passed, and ordred sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Foshee,

Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1205. Relating to Marshall County; providing additional compensation for the court reporter of the county court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flippo, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1206. To repeal Act No. 1648, H. B. 2395, Regular Session 1971, (Acts 1971, p. 2800), entitled, "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Waldrop.

—25

Nays:

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The Bill:

S. 1207. Relating to Marshall County; providing further for the expense allowances of the chairman and members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

S. 1208. To repeal Act No. 1351, H. B. 2168, Regular Session 1971, (Acts 1971, p. 2296), entitled, "An Act Providing additional allowances for clerk hire fund for the office of probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Foshee, Gilmore, Givhan, Jones, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1209. To repeal Act No. 1114, S. B. 943, Regular Session 1973, (Acts 1973, p. 1876), entitled, "An Act relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Was read a third time at length and passed, and ordred sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Owen, Pearson, Perry, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1210. To repeal Act No. 277, S. B. 171, Third Special Session 1971, (Acts 1971, p. 4553), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants

according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties."

Was read a third time at length and passed, and ordred sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

S. 1211. Relating to Marshall County; providing an additional expense allowance for the probate judge.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1212. To repeal Act No. 1640, H. B. 2387, Regular Session 1971, (Acts 1971, p. 2795), entitled, "An Act To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit; and to fix the amount and method of payment thereof."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1213. Relating to Marshall County; providing a supplemental salary to the circuit judges of the judicial circuit having jurisdiction in said county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

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Nays:

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The Bill:

S. 1214. To repeal Act No. 1637, H. B. 2384, Regular Session 1971 (Acts 1971, p. 2794), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000 according to the last or any subsequent federal decennial census; to repeal conflicting general, local, or special laws."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

S. 1215. Relating to Marshall County; providing for the compensation of the register of the circuit court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1216. To repeal Act No. 1337, H. B. 2154, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1217. Relating to Marshall County; to regulate the amount of sick leave with pay allowed certain school bus drivers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1218. To repeal Act No. 1355, H. B. 2172, Regular Session 1971, (Acts 1971, p. 2298), entitled "An Act To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Owen,

Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1219. To repeal Act No. 2132, H. B. 2578, Regular Session 1971, (Acts 1971, p. 3421), entitled "An Act Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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RESOLUTION

Mr. Foshee offered the following Senate Joint Resolution, to-wit:

S. J. R. 134. COMMENDING THE ALABAMA COUNTRY GOSPEL MUSIC ASSOCIATION

WHEREAS, the vast majority of Alabamians enjoy and appreciate country gospel music; and

WHEREAS, the Alabama Country Gospel Music Association has promoted country gospel music since its establishment on April 21, 1971, in Swearingin, Alabama; and

WHEREAS, the Alabama Country Gospel Music Association holds an annual celebration to commemorate this distinctive form of music and the Association is in the process of building an auditorium and Hall of Fame; and

WHEREAS, the purpose of the Alabama Country Gospel Music Association is to promote the recognition and discovery of young and new talent in the country gospel music field and the Association presently consists of some 24 country gospel groups;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we recognize the aforementioned services of the Alabama Country Gospel Music Association by designating their Association as the official country gospel music association for the State of

Alabama and further recognize this group and field of music by setting aside the month of May of each year as Country Gospel Music Month in Alabama, the first week thereof set aside as convention week and urge the Governor to proclaim its observance in Alabama from this time forth; and

BE IT FURTHER RESOLVED THAT THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, does hereby recognize and commend the following officials of the Association for outstanding service in this regard: James Holland, President; W. B. "Papa Bill" Leggett, Assistant President; Mefford Cobbs, Vice President; Johnny McAlister, Vice President; James A. Sasser, Vice President; O. J. Willmon, Vice President; Lummie Speakman, Vice President; Emily Holland, Treasurer; Beatrice Lasater, Treasurer; Brenda Robinson, Secretary; Francis Leggett, Hall of Fame Committee; Faye Cobbs, Hall of Fame Committee; Lois Potts, Hall of Fame Committee.

On motion of Mr. Foshee, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1220. To repeal Act No. 204, H. B. 883, Regular Session 1973, (Acts 1973, p. 238), entitled, "An Act Relating to the office of the Sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the Sheriff's office and their salary."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1221. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff's deputies and other employees and providing for the manner of their payment; authorizing the sheriff to receive the allowances prescribed by law for feeding prisoners in jail and requiring him to make monthly statements relative thereto; and repealing conflicting laws, specifically Act No. 673, S. 800, Regular Session 1969 (Acts 1969, p. 1206).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1222. To repeal Act No. 1349, H. B. 2166, Regular Session 1971, (Acts 1971, p. 2294), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the Sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

S. 1223. Relating to Marshall County; fixing the fee for the issuance of a pistol permit by the sheriff and providing for the deposit of such fees in a sheriff's fund.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1224. To repeal Act No. 1338, H. B. 2155, Regular Session 1971 (Acts 1971, p. 2287), entitled, "An Act Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of

Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

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Nays:

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The Bill:

S. 1225. Relating to Marshall County; providing the county superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided such officer.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Fine, Flippo, Foshee, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1226. To repeal Act No. 1353, H. B. 2170, Regular Session 1971, (Acts 1971, p. 2297), entitled, "An Act Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1227. To repeal Act No. 1347, H. B. 2164, Regular Session 1971, (Acts 1971, p. 2293), entitled, "An Act Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Foshee, Givhan, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Merrill, Gafford, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt.

H. J. R. 383. MOURNING THE DEATH OF REPRESENTATIVE RAY BURGESS.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Foshee, the Rules were suspended and the Resolution, H. J. R. 383, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. McNees, Robertson, Naramore, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Falkenburg, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt.

H. J. R. 385. MOURNING THE DEATH OF FORMER REPRESENTATIVE D. C. ("DEACON") GREY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 385, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1228. To repeal Act No. 1357, H. B. 2174, Regular Session 1971 (Acts 1971, p. 2299), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1229. Relating to Marshall County; authorizing the county governing body to contribute county funds for the use of any non-profit volunteer rescue squad operating within said county.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1230. To repeal Act No. 963, H. B. 2044, Regular Session 1973 (Acts 1973, p. 1472), entitled "An Act Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1231. To repeal Act No. 1048, S. B. 877, Regular Session 1973 (Acts 1973, p. 1660), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Foshee, Gilmore, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 857. To revise the fee schedule for services rendered in probate offices and establish a new schedule for such services; and to repeal Code of Alabama 1940, Title 11, Section 29, and other general laws of state-wide application in conflict herewith.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE ON HOUSE BILL 857

We, the committee on conference appointed to reconcile the difference of the two houses concerning House Bill 857, as amended by the Senate, have met in conference, considered the matter in conference, and have agreed to the following report:

Amend House Bill 857 by deleting in its entirety the Senate amendment.

WAYLAND CROSS

ROBERT MANLEY

MURRAY P. McCLUSKEY
Conferees on the part of the House

C. C. TORBERT JR.

BERT BANK

JOE FINE
Conferees on the part of the Senate

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Torbert, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 857, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 22; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Fine, Flipppo, Foshee, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Waldrop.

—22

Nays:

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BILLS ON THIRD READING RESUMED

The Bill:

S. 1232. Relating to Marshall County; requiring the use of voting machines at all polling places; allowing the designation of polling places; permitting electors to register votes on any voting machine at the designated voting place; providing for employment of a custodian of voting machines, the procedure for his appointment, salary and bond; allowing candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; and allowing candidates the right to demand in writing to the body in charge of ballot boxes to break seals for recanvass of votes in voting machine.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flipppo, Gilmore, King, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1233. To repeal Act No. 862, H. B. 1189, Regular Session 1969 (Acts 1969, p. 1570), entitled "An Act To provide further for the dissolution of corporations organized to operate a municipal water, sewer,

gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1234. To authorize the sheriff of Marshall County to make certain expenditures without approval of the county commission and to prescribe regulations relative to such expenditures.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1235. Relating to Marshall County; fixing the compensation of the Judge of the County Court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Foshee, Gilmore, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1236. To provide for an increase of compensation to be paid by Marshall County for the Court Reporters of the 27th Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1184. Relating to all counties havng a population of not less than 23,900 nor more than 24,450; providing for an additional expense allowance for all sheriffs to be paid by the county governing bodies of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flippo, Foshee, Jones, King, Little, Littleton, McMillan, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

S. 1185. To amend Act No. 324, H. 784, Regular Session of 1965 (Acts 1965 Regular Session, p. 443), which Act establishes a merit system for the City of Decatur, amending Section 15 of said Act so as to provide for leaves of absence for employees to seek election to public office in Morgan County, and amending Section 21 of said Act so as to limit the prohibited political activities which city employees can engage in to such activities in Morgan County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

S. 1189. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

S. 1240. Relating to all counties having a population of not less than 24,900 nor more than 25,150 inhabitants according to the most recent federal decennial census; to abolish all supernumerary offices and positions in such counties and to repeal all conflicting statutes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

RETURN OF BILL REQUESTED

On motion of Mr. Waldrop, the Secretary was directed to request the House to return to the Senate for further consideration the Bill, S. B. 1190.

BILLS ON THIRD READING RESUMED

The Bill:

S. 137. Relating to Lee County; to provide that the County Commission shall have the power to levy and collect additional privilege license taxes, excise taxes, alcoholic beverage taxes, and sales and use taxes; and to provide for the disposition of the proceeds of such taxes.

was taken up.

Messrs. Little and Torbert offered the following substitute for the Bill, S. B. 137, to-wit:

SUBSTITUTE FOR S. B. 137

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County; to provide that the county commission shall have the power to levy and collect additional privilege license taxes, cigarette taxes and taxes on charges or fees for solid waste disposal; and occupational taxes outside the city limits of any incorporated municipality in said county; and to provide for the disposition of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Subject to any limitation of the Constitution of Alabama or of any general law of this state, the Lee county commission shall have the power to levy and collect additional privilege license taxes, cigarette taxes and taxes on charges or fees for solid waste disposal; and occupational taxes outside the city limits of any incorporated municipality in said county. The revenue from any of the taxes authorized above shall be deposited into the county treasury to be used in the manner prescribed by the county commission.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Torbert, Waldrop.

—25

Nays:

—0

And said Bill, S. B. 137, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 104. MOURNING THE DEATH OF CITY CLERK W. FRANCIS PEARSON OF OPELIKA, ALABAMA.

Also:

S. J. R. 105. MOURNING THE DEATH OF MR. LEWIS COOPER, JR., MAYOR OF OPELIKA.

Also:

S. J. R. 109. MOURNING THE DEATH OF MRS. EDNA BETTY UDELL.

Also:

S. J. R. 110. HONORING CHIEF CLAUDE CARR UPON HIS RETIREMENT FROM THE ATTALLA POLICE DEPARTMENT.

Also:

S. J. R. 119. COMMENDING AND CONGRATULATING LEABORNE L. EADS OF MONTGOMERY UPON BEING ELECTED AND INSTALLED AS PRESIDENT-ELECT OF THE NATIONAL EXCHANGE CLUB ORGANIZATION.

Also:

S. J. R. 123. MOURNING THE DEATH OF WILSON BAKER.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 114. CONGRATULATING MCMILLAN LANE, COMMISSIONER OF AGRICULTURE AND INDUSTRIES, FOR HIS APPOINTMENT AS CHAIRMAN OF THE RURAL DEVELOPMENT COMMITTEE OF THE NATIONAL ASSOCIATION OF STATE DEPARTMENTS OF AGRICULTURE.

Also:

S. J. R. 115. COMMENDING THE BIRMINGHAM AREA COUNCIL OF CAMP FIRE, INC.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Sasser:

H. 1043. To regulate and promote the public health and to improve the effectiveness of health facility planning and the provision of necessary and adequate health care facilities and services in the State of Alabama; to authorize the issuances of Assurances of Need to certify that a proposed facility, service and expenditure is in conformity with the appropriate State health facility plan; and to establish a time period of validity for Assurances of Need.

Also:

By Mr. Waggoner:

H. 484. To amend Title 8, Section 39, Code of Alabama 1940, as amended, pertaining to annual non-resident fishing licenses, so as to require said license if a non-resident desires to fish in any fresh water, whether public or private, in this state, increasing its cost from \$5.00 to \$10.50; to amend Title 8, Section 40, Code of Alabama 1940, as amended, pertaining to non-resident trip fishing licenses, so as to require a non-resident to have said license in order to fish in any fresh water, whether public or private, in this State, increasing its cost from \$2.00 to \$3.50; and to amend Title 8, Section 41, Code of Alabama 1940, as amended, pertaining to the penalty for fishing without a license, so as to make it unlawful to fish in any water in this state without the appropriate license.

Also:

By Mr. Owens:

H. 706. To amend Act No. 751, Acts of Alabama, 1965 Regular Session, relating to the cost of purchasing non-resident hunting licenses.

Also:

By Messrs. Smith (B), Carter and Starkey:

H. 1406. To amend further Section 38 of Title 8 Code of Alabama of 1940, relating to the manner and method of obtaining state and county fishing licenses so as to increase the fees for such licenses.

Also:

By Messrs. McMillan, Whatley, Starkey, Campbell and Smith (M):

H. 1477. To amend the title and Section 1 of Acts of Alabama Regular Session 1971 (Acts 1971, vol. IV, p. 2629), relating to state and county hunting licenses so as to increase the fees for such licenses.

Also:

By Messrs. Turnham and Teague:

H. 289. To appropriate such funds necessary to The Alabama Postsecondary 1202 Commission in order to develop a comprehensive student assistance program and to qualify the State of Alabama for federal assistance under Title IV.

Also:

By Mr. Manley:

H. 886. Relating to the commitment of mentally ill persons to the custody of the State Department of Mental Health; prescribing the procedures for the involuntary commitment of mentally ill persons, prescribing the duties and responsibilities of all persons and departments concerned with the commitment of mentally ill persons; providing for the rights of persons sought to be committed as mentally ill; providing for the payment of costs of proceedings for the commitment of mentally ill persons; providing for appeal to circuit court by persons committed as mentally ill; prescribing the jurisdiction of the probate court in regard to persons committed as mentally ill; providing for the transfer of mentally ill persons to facilities operated by the United States; and repealing conflicting laws.

Also:

By Mr. Manley:

H. 887. Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients; prescribing the duties and responsibilities of persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the quality of care and treatment of patients; and repealing conflicting laws.

Also:

By Mr. Manley:

H. 888. Relating to Mental Health entering the Interstate Compact on Mental Health, providing for proper and expeditious treatment of the mentally ill and mentally deficient by cooperative action with other party states, without regard to the residence or citizenship of the patient.

Also:

By Mr. Manley:

H. 973. To provide for the commitment, recommitment or continued custody of any person accused of a crime but not yet tried or convicted and presently committed to the custody of the Department of Mental Health at Bryce or Searcy Hospitals or other facilities designated by the Commissioner of said Department; to require the judges of the courts of the state to remand back to their respective counties all persons in said hospitals or facilities against whom criminal charges have been nolle prossed or otherwise dismissed; to provide for the commitment, recommitment, or continued custody of a person who has been adjudicated "not guilty by reason of insanity" of any crime and who is presently committed to the custody of the Department of Mental Health at Bryce or Searcy hospitals or other facilities designated by the Commissioner of said Department; to provide for the commitment, recommitment to the custody of the Department of Mental Health from the persons of the state pursuant to the provisions of Title 45, Section 222, 223, and 224 Code of Alabama 1940, as Recompiled 1958, or the transfer back to the prisons under appropriate circumstances; upon application of the Commissioner of the Department of Mental Health or his designee to authorize the governor to appoint one or more special judges of probate for the purpose of

considering hearing and making appropriate orders with regard to the commitment, or recommitment or continued custody of such persons; to provide the judicial authority of such special judges of probate; to provide the jurisdiction of such probate courts over such person; to provide the qualifications of such special judges of probate, and to provide an appropriation to carry out the purposes of this Act.

Also:

By Mr. Manley:

H. 974. To Provide a procedure of the determination of a criminal defendant's capacity to proceed or continue to trail; to authorize the courts of this state to hold initial hearings on the question of capacity or incapacity, and to authorize courts to commit a defendant to the custody of the Department of Mental Health for further observation and evaluation; and to provide for voluntary or involuntary civil commitment proceedings for persons adjudicated "not guilty by reason of insanity" and to provide the payment of costs of removing defendants to and from the custody of the Department of Mental Health; to amend Title 45, Section 222, Code of Alabama 1940, as Recompiled; and to repeal Title 15, Sections 425, 426, 427, 428, 429, 430 and 431, Title 45, Sections 222 and 223, Code of Alabama 1940, as Recompiled 1958.

Also:

By Mr. Waggoner:

H. 1259. To amend Sections 8, 9, 11, 13, 14, 16 and 23 of Act No. 79, S. 76, approved September 15, 1961, an act regulating the practice of engineering and land surveying; so as to provide: additional liability protection and legal counsel for the Board, biennial printing of Roster, an increase in certain fees and an increase in amount of funds that the Board may retain; and further to make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors from the "Professional Engineers' Fund" for the fiscal years ending September 30, 1975, September 30, 1976 and September 30, 1977.

Also:

By Messrs. Falkenburg, Waggoner, Biddle, Jolly, Andrews, Cates, Leonard, Trammell, Moore (O), White, Gafford, McNees, McNair, Hall, Hopping, Robertson, Malone, Sonnier, Hines and Harris:

H. 555. To amend Code of Alabama 1940, Title 45, Section 144, as amended, providing a daily prisoner meal allowance, so as to provide for an increase in such allowance.

Also:

By Messrs. Baker, Higginbotham, Smith (M), Owens, Jackson (F), Crawford, Williams and Carothers:

H. 1267. To amend Section 5, as amended, and Section 6 of Act No. 107, S. 2, 1965 first special session (Acts of 1965, special session, volume one, p. 132, now appearing in Code of Alabama, Recompiled 1958, Title 50, Sections 82 and 83), relating to the incorporation in any county in the State of Alabama of a Water Authority, as a public corporation for the purpose of furnishing water service and fire protection service; so as to regulate further the membership of the board of directors.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1043, 886, 887, 888, 973 and 974. To the Committee on Health and Welfare.

H. B.'s 484, 706, 1406 and 1477. To the Committee on Conservation.

H. B. 289. To the Committee on Rules.

H. B.'s 1259 and 1267. To the Committee on Judiciary.

H. B. 555. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. White, Smith (B), Greer, Roberts, Martin, Sonnier, Riddick, Ford, Albright, Rich, Armstrong, Quarles, Gafford, McNair, Harrison, Biddle, Trammell, Hopping, Hall, Jolly, Gregg, Johnson, Clark, Howard, Robertson, Smith (C), Holley, Reed and Whatley:

H. 524. To amend Title 52, Section 63, Code of Alabama 1940, so as to provide that except in certain counties only those qualified voters residing in the area served by the school board members shall be eligible to vote in the election of the members of that school board.

Also:

By Mr. Hill:

H. 913. To amend Section 21 of the Professional Corporation Act (Acts of 1971, p. 4524, now appearing in Code of Alabama, Recompiled 1958, Title 46, Section 366), so as to allow a consolidated or merged professional corporation to render both medical and dental services within a single professional corporation.

Also:

By Mr. Hill:

H. 912. To amend Section 2, as amended, Section 3, as amended, Section 4, Section 7, Section 8, as amended, and Section 16 of Act No. 865, H. 138, 1961 Regular Session (Acts of 1961, p. 1349, now appearing in code of Alabama, Recompiled 1958, Title 46, Sections 331, 332, 333, 336, 337, and 345), relating to the formation of unincorporated associations for the purpose of rendering professional service; so as to further regulate such associations.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

- H. B. 524. To the Committee on Education.
H. B. 913. To the Committee on Health and Welfare.
H. B. 912. To the Committee on Judiciary.

BILLS ON THIRD READING RESUMED

The Bill:

S. 218. To amend Section 2 of Act No. 107, S. 156, of the Regular Session of 1947, [now appearing in the Code of Alabama 1940, Recompiled 1958 in Title 13, Section 187 (3)] entitled An Act to authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office, so as to raise the amount paid bailiffs to an amount not to exceed six hundred dollars (\$600.00) per month.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flipppo, Gilmore, Givhan, Jones, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Charles A. Rollo, Auburn, Alabama, as The Adjutant General with grade of Major General.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of Adjutant General, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Board of Agriculture and Industries:

Morgan Edwards—Cullman, Alabama—From the 4th Congressional District—succeeding Harry Brock, Jr., for the term expiring January, 1979.

Harold Johnson—Notasulga, Alabama—From the 3rd Congressional District—succeeding Comer Sims for the term expiring January, 1975.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Board of Agriculture and Industries, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Frank V. Potts, Florence, Alabama, as a member of the Alcoholic Beverage Control Board, for the term expiring February 10, 1981.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alcoholic Beverage Control Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Board of Trustees for the State Training School for Girls:

Mrs. Frank Samford, Jr.—Birmingham, Alabama—From the 9th Congressional District—reappointment for the term expiring May 29, 1979.

Mrs. John C. Henley, III—Birmingham, Alabama—From the 9th Congressional District—reappointment for the term expiring May 29, 1979.

W. Chester Sparks—Birmingham, Alabama—From the 9th Congressional District—reappointment for the term expiring May 29, 1979.

Allen Lyman Bartlett—Birmingham, Alabama—From the 9th Congressional District—reappointment for the term expiring May 29, 1979.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Trustees for the State Training School for Girls, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, James D. Pruett, Gadsden, Alabama, as a member of the Alabama Securities Commission, succeeding Charles Stakely, for the term expiring October 31, 1977.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Securities Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Water Improvement Commission:

Melvin O. Berglin—Fairhope, Alabama—Reappointment for the term expiring December 1, 1977.

Dr. Robert Bucher—Mobile, Alabama—Reappointment for the term expiring December 1, 1978.

Louis Grabensteder—Huntsville, Alabama—Reappointment for the term expiring December 1, 1978.

C. O. Cargile—Hueytown, Alabama—Succeeding Robert Wright for the term expiring December 1, 1977.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Water Improvement Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 185. Regulating further the licensing of passenger vehicles and pickup trucks to provide for the issuance of semi-permanent license plates with a tab or other device indicating the payment of the license tag for the current year.

by a majority of the whole number elected to the House, said vote being Yeas 71, Nays 0.

And said Bill S. B. 185, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the House, said vote being Yeas 72, Nays 0.

And said Bill S. B. 185, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 415. To amend Sections 282, 283, 284, 285, 287, 289, 292, 295 as amended, 297 and 300 of Title 28, Code of Alabama 1940, and Section 2 of Act No. 603, Regular Session 1962 (Acts of 1962, p. 862), as amended by Act No. 221, Regular Session 1967 (Acts of 1967, p. 589) (now appearing as Section 287 (3), Title 28, Code of Alabama 1940, as Recompiled 1958), all of which provide for credit unions in Alabama, so as to provide for supervision by the superintendent of banks, to provide further for examination fees, to provide further duties for the supervisory committee, and to provide for a policy as concerns loans to directors and officers.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 415, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 415

Amend the Substitute for S. B. 415 by deleting the words and phrases in Section 4, page 3, lines 34 and 35 as follows: and inserting in lieu thereof the following words and phrases: To accept deposits of fiduciary funds if a member is the beneficiary, trustee or personal representative and if the funds are part of the estate of a deceased member.

SUBSTITUTE FOR S. B. 415

A BILL TO BE ENTITLED AN ACT

To amend section 282, 283, 284, 287, 292, 297 and 300 of Title 28, Code of Alabama 1940, §295 of Title 28, Code of Alabama 1940, as amended by Act No. 2300, Regular session 1971, (Acts of 1971, p. 3711 et. seq.), and Section 2 of Act No. 603, Regular Session 1957 (Acts of 1957, p. 862), as amended by Act No. 221, Regular Session 1967 (Acts of 1967, p. 589) (now appearing as Section 287, (3), Title 28, Code of Alabama 1940, as Recompiled 1958), all of which provide for credit unions in Alabama, so as to provide for supervision by the superintendent of banks, to provide further for examination fees, to provide further duties for the supervisory committee, and to provide for a policy as concerns loans to directors and officers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 282, Title 28, Code of Alabama, 1940, is hereby amended to read as follows:

"§282 Organization and definition.—Any seven residents of the State of Alabama may apply to the superintendent of banks for permission to organize a credit union. A credit union is a cooperative society, incorporated for the two-fold purpose of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident purposes, particularly among groups of industrial workers and farmers, fraternal and religious organizations, and in those communities where the citizens of the state are distantly removed from convenient centers of business or easy access to financial agencies now provided for by laws of Alabama. A credit union is organized in the following manner: The applicants execute in duplicate a certificate of organization by the terms of which they agree to be bound. The certificate shall state: The name and location of the proposed credit union. The names and addresses of the subscribers to the certificate and the number of shares subscribed by each. The par value of the shares of the credit union which shall not exceed ten dollars each. They next prepare and adopt by-laws for the general governance of the credit union consistent with the provisions of this article, and execute the same in duplicate. The certificate and by-laws, both executed in duplicate, are forwarded to the said superintendent of banks. The said superintendent of banks shall within thirty days of the receipt of said certificate and by-laws, determine whether they conform with the provisions of this article, and whether or not the organization of the credit union in question would benefit the members of it and be consistent with the purpose of this article. Thereupon the said superintendent of banks shall notify the applicants of his decision. If it is favorable he shall issue a certificate of approval, attached to the duplicate certificate of organization and return the same together with the duplicate by-laws to the applicants. The applicants shall thereupon file the said duplicate of the certificate of organization, with the certificate of approval attached thereto, with the judge of probate of the county within which the credit union is to do business, who shall make a record of said certificate and return it, with his certificate of record attached thereto, to the said superintendent of banks for permanent record. Thereupon, the applicants shall become and be a credit union, incorporated in accordance with the provisions of this article. In order to simplify the organization of credit unions the said superintendent of banks shall cause to be prepared an approved form of certificate of organization and a form of by-laws, consistent with this article, which may be used by credit union incorporators for their guidance, and on written application of any seven residents of the state, shall supply them without charge with a blank certificate of organization and a copy of said form of suggested by-laws."

Section 2. Section 283, Title 28, Code of Alabama, 1940, is hereby amended to read as follows:

"§283 Amendments of by-laws.—Any and all amendments to the by-laws must be approved by the said superintendent of banks before they become operative."

Section 3. Section 284, Title 28, Code of Alabama, 1940, is hereby amended to read as follows:

"§284 Use of words 'credit union' in name of title.—It shall be a misdemeanor for any person, association, copartnership or corporation

(except corporations organized in accordance with the provisions of this article, credit unions incorporated under the laws of the United States and the Alabama Credit Union League) to use the words 'credit union' in their name or title. A corporation organized under the provisions of this article shall include in its corporate name or title, the words 'credit union'."

Section 4. Section 285, Title 28, Code of Alabama, 1940, as amended by Act No. 2300 Regular Session 1971 (Acts of 1971, p. 3711 et. seq.), is hereby amended to read as follows:

"§285 Powers.—A credit union shall have the following powers: To receive the savings of its members either as payment on shares or as deposits (including the right to conduct Christmas clubs, vacation clubs and other such thrift organizations within the membership). To accept deposits of trust funds if a member is the beneficiary or trustee if the funds are part of the estate of a deceased member. To make loans to members for provident or productive purposes. To make loans to other credit unions. To make loans to a cooperative society or other organizations having membership in the credit union. To deposit in state and national banks, savings and loan associations, the accounts which are insured by the Federal Savings and Loan Insurance Corporation of the Federal Deposit Insurance Corporation, and of other credit unions. To invest in any investment legal for savings banks or for trust funds in the state. To borrow money from any source and to give its note therefor, provided that such borrowing shall not at any time exceed fifty percent of its assets. To exercise such incidental powers as shall be necessary to enable it to carry on effectively the purposes for which it is incorporated and such other powers as are expressly authorized by the Superintendent of Banks.

In addition to any and all other powers heretofore granted to credit unions, any credit union shall have the power to engage in any activity in which such credit union could engage were such credit union operating as a federally chartered credit union, including but not by way of limitation because of enumeration, the power to do any act, and own, possess and carry as assets, property of such character including stocks, bonds or other debentures which, at the time, are authorized under federal laws or regulations for transactions by federal credit unions, notwithstanding any restrictions elsewhere contained in the statutes of the State of Alabama; provided, that no credit union can exercise any power which it claims only by virtue of such power being possessed by a federal credit union if the superintendent of banks issues a written order prohibiting a credit union from exercising such power."

Section 5. Section 287 (1), Title 28, Code of Alabama, 1940, is hereby amended to read as follows:

"(1) Credit unions shall be under the supervision of the superintendent of banks. They shall report to him at least annually on or before the first day of February on blanks supplied by the said superintendent for that purpose. Additional reports may be required. Credit unions shall be examined at least annually by employees of the superintendent of banks or by other persons designated by the superintendent of banks. For failure to file reports when due, unless excused for cause, the credit union shall pay to the treasurer of the state five dollars for each day of its delinquency. If the superintendent determines that the credit union is violating the provisions of this article, or is insolvent, he may serve notice on the credit union of his intention to revoke the certificate of approval. If, for a period of fifteen days after said

notice, said violation continues, the superintendent may revoke said certificate and take possession of the business and property of said credit union and maintain possession until such time as he shall permit it to continue business or its affairs are finally liquidated. He may take similar action if said report remains in arrears for more than fifteen days."

Section 6. Section 2 of Act No. 603, Regular Session 1957 (Acts of 1957, p. 862), as amended by Act No. 221, Regular Session 1967 (Acts of 1967, p. 589) and now appearing as Section 287 (3), Title 28 Code of Alabama of 1940, as Recompiled 1958, is hereby amended to read as follows:

"§(2) (a) All credit unions examined by the state banking department shall pay examination fees, the exact amount of which shall be fixed from time to time by the superintendent of banks, and in no event shall the maximum amount so fixed exceed the fee scales set out herein:

(1) Credit unions having total assets of less than \$25,000 as of the effective date of the examination shall pay a fee not in excess of fifty cents for each full \$100.00 of assets, subject to a minimum of \$25.00.

(2) Credit unions with assets of \$25,000 or more as of the effective date of the examination shall pay a fee of \$54 per examiner day, plus eight cents per \$100.00 of assets up to and including \$500,000, plus three and one-half cents per \$100.00 of assets of \$500,000 but not in excess of \$1,000,000 plus 2½ cents per \$100 of assets over \$1,000,000 but not in excess of \$5,000,000 plus one cent per \$100.00 on all assets over \$5,000,000, subject to a minimum charge of \$125.00.

(b) Whenever application is made to the superintendent of banks for permission to organize a credit union, the applicant shall at the time of filing the certificate of organization with the superintendent of banks pay a fee not to exceed \$50.00 for the purpose of paying the costs incidental to the determination by the superintendent of banks whether such certificate of organization shall be approved. The superintendent shall from time to time fix the exact charge to be made but in no event shall the charge exceed \$50.00. The provision of this subsection shall not apply to any existing credit union seeking charter conversion.

(c) All fees collected under this section shall be paid into the special fund in the treasury created under the provisions of Title 5, Section 13, Code of Alabama, 1940, as amended and may be spent by the superintendent of banks for the uses and purposes specified in said Section 13 of Title 5, as amended, in the examination and supervision of credit unions."

Section 7. Section 292, Title 28, Code of Alabama of 1940, is hereby amended to read as follows:

"§292 "(1) The supervisory committee shall make or cause to be made a comprehensive annual audit of the books and affairs of the credit union and shall submit a report of that audit to the board of directors and summary of that report to the members at the next annual meeting of the credit union. It shall make or cause to be made such supplementary audits or examinations as it deems necessary or as are required by the superintendent of banks or by the board of directors, and submit reports of these supplementary audits to the board of directors.

(2) The supervisory committee shall cause the accounts of the

members to be verified with the records of the credit union from time to time, and not less frequently than every two (2) years.

(3) The superintendent of banks may define the scope of any audit, and may set out what procedures must be followed for an audit to qualify as the required annual audit. He may prescribe procedures to be followed in the verification of records required not less frequently than every two (2) years.

(4) Whenever the supervisory committee shall fail to make a comprehensive annual audit, or shall fail to verify the accounts of members not less frequently than every two (2) years, the superintendent of banks by written order may direct the supervisory committee to perform these duties within a reasonable period of time. Upon failure of the committee to perform these duties as directed by the superintendent, the superintendent may employ an audit to perform them, and the cost of such audit shall be borne by the credit union.

(5) The supervisory committee by a unanimous vote may suspend any officer, director or member of committee and call the members together to act on such suspension within 30 days after such suspension. The members at said meeting shall consider such suspension and vote to either remove such officer, director or committeeman permanently or to reinstate said officer, director or committeeman. By majority vote the supervisory committee may call a special meeting of the members to consider any matter submitted to it by said committee. The said committee shall fill vacancies in its own membership until the next annual meeting.

Section 8. Section 295, Title 28, Code of Alabama, 1940, as amended by Act No. 2300 Regular Session 1971 (Acts of 1971, p. 3711 et. seq.), is hereby further amended to read as follows:

“§295 A credit union may loan to members.—Loans must be for a provident or productive or purpose and are made subject to the conditions contained in the bylaws. A borrower may repay his loan in whole or in part any day the office of the credit union is open for business. Provided that loans to directors, officers or members of a committee are not prohibited in the bylaws, it shall be the duty of the board of directors to establish a written policy concerning loans to a director, officer, or member of committee. If it is the policy of the credit union to make directors, officers and members of a committee eligible for loans, such loans will be made under the same terms, conditions and rules as similar loans to other members. In no case may the credit committee make a loan to a director, officer, or member of committee under the terms more favorable than the terms of similar loans to other members. The credit committee shall at least monthly submit to the board of directors a listing of all loans made to directors, officers and committee members.

Unless it is the policy of the credit union to make loans to directors, officers and members of a committee: (a) no such person may borrow or guaranty any loan from that credit union in an amount in excess of his shares and deposits in that credit union, and (b) no loan or endorsement made more than 90 days prior to his election shall prohibit any person from being elected as a director, officer or member of a committee, but a new or additional loan or guaranty in excess of such person's shares and deposits shall not be made after such person's election and during his term of office, and (c) any person who has, less than ninety (90) days prior to election,

borrowed or guaranteed loans from the credit union in excess of his shares and deposits shall, within 15 days after his election, fully pay or secure such loans with shares and deposits, including any shares and deposits held by such person."

Section 9. Section 297, Title 28, Code of Alabama of 1940, is hereby amended to read as follows:

"§297 Reserve fund. (a) From the gross earnings of the credit union there shall be set aside, as a regular reserve against losses on loans and such other losses as may be specified by superintendent of banks, a sum in accordance with the following schedule: 10 per centum of gross income from loans to members, other than loans to credit unions, until the regular reserve shall equal 7 ½ per centum of the total of outstanding loans, then 5 per centum of gross income from loans to members, other than loans to credit unions, until the regular reserve shall equal 10 per centum of the total of outstanding loans. Whenever the regular reserve falls below 10 per centum or 7 ½ per centum of the total outstanding loans, as the case may be, it shall be replenished by regular contributions in such amounts as may be needed to maintain the reserve goals of 7 ½ per centum or 10 per centum, provided that no credit union shall be required to set aside more than 10 per centum of gross income.

(b) All entrance fees and fines shall be added to the regular reserve. In addition to such regular reserve, special reserves to protect the interests of members shall be established (1) when required by superintendent of banks; or (2) when found by the superintendent of banks, in any special case, to be necessary for that purpose."

Section 10. Section 300, Title 28, Code of Alabama of 1940, is hereby amended to read as follows:

Dissolution.—

"§300 (1) Voluntary Dissolution.—The process of voluntary dissolution shall be as follows: At a meeting called for that purpose (notice of which purpose must be contained in the call) two-thirds of these in attendance may vote to dissolve the credit union. Notice of the meeting must have been mailed to the last known address of each member of the credit union at least fifteen days prior to the date of the meeting. The superintendent of banks determines whether or not the credit union is solvent. If such is the fact he issues in duplicate a certificate to the effect that this section has been complied with. The certificate is filed with the probate judge of the county in which the credit union is located, whereupon the credit union is dissolved and shall cease to carry on business except for the purposes of liquidation. The credit union shall continue in existence for the purpose of discharging its debts, collecting and distributing its assets and doing all other acts required in order to wind up its business, and may sue and be sued for the purpose of enforcing such debts and obligations until its affairs are fully adjusted and wound up, for three years."

"§300 (2) Merger Procedures.—Any credit union may, with the approval of the Superintendent of Banks, merge with another credit union under the existing Certificate of Organization of the other credit union, pursuant to any plan agreed upon by the majority of each board of directors of each credit union joining in the merger. In addition to approval by the Superintendent of Banks and each board of directors, the membership of the merging credit union must also approve the merger plan in the following manner:

At a meeting called for that purpose (notice of which purpose must be contained in the call) two-thirds of those in attendance may vote to approve the merger plan. Notice of the meeting must have been mailed to the last known address of each member of the credit union at least fifteen days prior to the date of the meeting. (a) After agreement by the directors and approval by the members of the merging credit union, the president and secretary of the credit union shall execute a certificate of merger which shall set forth all of the following:

(i) The time and place of the meeting of the board of directors at which the plan was agreed upon;

(ii) The vote in favor of the adoption of the plan;

(iii) A copy of the resolution or other action by which the plan was agreed upon;

(iv) The time and place of the meeting of the members at which the plan agreed upon was approved; and

(v) The vote by which the plan was approved by the members.

(b) Such certificate and a copy of the plan of merger agreed upon shall be forwarded to the Superintendent of Banks, certified by him, and returned to both credit unions within thirty (30) days. (c) Upon return of the certificate from the Superintendent of Banks all property, property rights, and members' interest of the deed, endorsement or other instrument of transfer, and all debts, obligations and liabilities of the merged credit union shall be deemed to have been assumed by the surviving credit union under whose charter the merger was effected. The rights and privileges of the members of the merged credit union shall remain intact.

(d) A copy of the certificate approved by the Superintendent of Banks shall be filed with the judge of probate of the county in which each credit union's Certificate of Organization is recorded. (e) This section applies to credit unions organized under the laws of the State of Alabama. Federally chartered credit unions may be merged into Alabama organized credit unions, under the same conditions as Alabama credit unions; provided that the merger plan is approved by the Administrator of the National Credit Union Administration. (f) Credit unions organized under the laws of the State of Alabama may be merged into federally chartered credit unions under the same conditions as provided in this section; provided that the merger plan is approved by the Administrator of the National Credit Union Administration."

Section 11. Section 301, Title 28, Code of Alabama of 1940, is hereby amended to read as follows:

"§301 Change in place of business.—A credit union may change its place of business on written notice to said superintendent of banks."

Section 12.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13.

Section 13. The provisions of this Act are severable. If any part of

the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14.

Section 14. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 19; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Fine, Foshee, Givhan, Jones, King, McDonald (A), McMillan, Mims, Noonan, Pearson, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

— 19

Nays:

— 0

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the Bill:

H. 201. To provide that driver licenses bear photographic likeness in color of licensed drivers and to provide for a system to implement the use of color photographic driver license forms and for the time and manner of implementing this act; and to provide for non-driver identification cards; to provide for the issuance of driver licenses valid for a period of four (4) years, and to set the cost of such licenses and identification cards, and the fees for issuance; to provide for interim driver licenses valid for a period of two (2) years to implement this act, and to set the cost of such licenses; to provide that contracts may be awarded for a period of a total of five years; to amend Section 62, Title 36, Code of Alabama 1940; to repeal Section 59, Title 36, Code of Alabama 1940, as amended.

Said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 201 and containing suggested Executive Amendments.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 11th DAY OF SEPTEMBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 201 without my signature and approval and with the following suggested Executive Amendments.

I suggest that you amend Section 1 by striking the last sentence thereof in its entirety.

I further suggest that you amend Section 3 by adding the following at the end of the last sentence:

"All procurements and subsequent contracts for data processing equipment shall be coordinated with, and approved by, the Data Systems Management Division of the Alabama Department of Finance."

It is my further suggestion that you amend Section 6 by deleting said Section in its entirety, and substituting in lieu thereof the following:

"Section 6. Every person, except those specifically exempted by statutory enactment, shall procure a driver license before driving a motor vehicle upon the highways of this State. Every driver license issued under this article may be renewed at the end of the license period without examination upon application and payment of the fee. For the purpose of renewal of driver license, the applicant shall apply for a driver license anytime during a period beginning thirty (30) days before the expiration date of the then current license until one (1) year after the expiration date of said license. Failure to make application for renewal within the specified time, shall result in the applicant being required to take, and successfully pass, a written examination and driving test as administered by the Department of Public Safety. Every new resident of the State of Alabama shall procure an Alabama driver license within thirty (30) days after establishing residence in this State."

It is my further suggestion that you amend Section 7 by striking the last sentence thereof in its entirety, and substituting therefor the following:

"All funds remitted to the State treasurer under the provisions of this section shall be deposited to the credit of the general fund and shall be appropriated for Public Safety use."

The adoption of the above and foregoing suggested Executive Amendments will remove my objections to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor to the Bill, H. B. 201, by a vote of a majority of the whole number elected to the House, said votes being: Yeas 73, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 76, Nays 0.

And said Bill, H. 201, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Vacca, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 201, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 18; Nays 0.

Yeas:

Messrs. Bank, Clemon, Fine, Foshee, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Vacca, Waldrop.

— 18

Nays:

— 0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 201, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 18; Nays 0.

Yeas:

Messrs. Bank, Clemon, Fine, Foshee, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Vacca, Waldrop.

— 18

Nays:

— 0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 457. Relating to the weighing of livestock at public livestock markets which requires persons operating scales to obtain an annual permit from the Commissioner of Agriculture and Industries and to be bonded: to amend Section 2 of Act No. 169, H. 238, Legislature of 1959, approved September 23, 1959 (Acts of 1959, Vol. 1, p. 693) by fixing the amount of the annual permit fee to be paid by persons who operate scales upon which livestock are weighed at livestock markets which amount shall be five dollars; to prescribe the effective date of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mims, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 457, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 457

Amend Senate Bill 457 on lines 8, 18, 26 and 27 by striking therefrom the words and figures, viz: five dollars (\$5.00) and substituting in lieu thereof the following words and figures:

ten dollars (\$10.00)

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, St. John, Torbert, Vacca, Waldrop.

— 18

Nays:

— 0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Tuscaloosa County Civil Service Board:

Percy Graham—Northport, Alabama—Succeeding Pat Lancaster, deceased, for the term expiring May 15, 1977.

William Sharp—Northport, Alabama—Succeeding Dwight Dollar for the term expiring May 15, 1979.

James O. Kincaid—Tuscaloosa, Alabama—Succeeding Gary Fitts for the term expiring May 15, 1981.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Tuscaloosa County Civil Service Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Tuscaloosa City Civil Service Board:

Sam M. Phelps—Tuscaloosa, Alabama—Reappointment for the term expiring May 15, 1979.

Walter B. Lawson—Tuscaloosa, Alabama—Reappointment for the term expiring May 15, 1981.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Tuscaloosa City Civil Service Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Alabama Commission on Higher Education:

Mrs. Annie Laura Parker—Ozark, Alabama—From the State-at-Large succeeding Robert Lowe for the term expiring August 31, 1982.

Jack F. Rainer—Montgomery, Alabama—From the 2nd Congressional District succeeding J. Marvin Albritton for the term expiring August 31, 1982.

Clyde Foster—Madison, Alabama—From the 8th Congressional District succeeding Hugh Parker, resigned, for the term expiring August 31, 1979.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Commission on Higher Education, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Tom Wright, Talladega, Alabama, from the 4th Congressional District, as a member of the State Board of Trustees for the Alabama Institute for Deaf and Blind, for the term expiring November 28, 1975.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Board of Trustees for the Alabama Institute for Deaf and Blind, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Dr. Marion L. Carroll, Jr., Mobile, Alabama, from the 1st Congressional District, as a member of the State Board of Corrections, succeeding Dr. Max McLaughlin for the term expiring July 17, 1983.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Board of Corrections, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Douglas Mims, Montgomery, Alabama, as Superintendent of Banks, succeeding Leonard C. Johnson.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to the appointment of the Superintendent of Banks, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Air Pollution Control Commission:

Larry Weems—Birmingham, Alabama—Reappointment for the term expiring October 1, 1977.

Charles E. Grainger—Huntsville, Alabama—Succeeding R. L. Adams for the term expiring October 1, 1977.

R. E. Wingard—Auburn, Alabama—Succeeding Dr. Grady Cox for the term expiring October 1, 1978.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Air Pollution Control Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Banking Board:

Tommy Strother—Brundidge, Alabama—Reappointment for the term expiring February 1, 1979.

Herman Watson—Fort Payne, Alabama—Reappointment for the term expiring February 1, 1979.

Mureal Crump—Montgomery, Alabama—Reappointment for the term expiring February 1, 1981.

Hayse McGahey—Guntersville, Alabama—Reappointment for the term expiring February 1, 1981.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Banking Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Farmers Market Authority:

John Goodson, Jr.—Brent, Alabama—From the 5th Congressional District—succeeding Lawrence Crawford, resigned, for the term expiring February 1, 1976.

George Kaiser—Foley, Alabama—From the 2nd Congressional District—reappointment for the term expiring February 1, 1980.

Leslie J. Hatchett—Grand Bay, Alabama—From the 1st Congressional District—reappointment for the term expiring February 1, 1980.

Aaron Bailey—Huntsville, Alabama—From the 8th Congressional District—reappointment for the term expiring February 1, 1980.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Farmers Market Authority, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the State Forestry Commission:

Grover Gibbs—Troy, Alabama—Reappointment for the term expiring November 5, 1978.

C. E. Hornsby, Jr.—Centreville, Alabama—Reappointment for the term expiring November 5, 1978.

Ross Daniels, Sr.—Montgomery, Alabama—Reappointment for the term expiring November 5, 1979.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the State Forestry Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Joseph P. Givhan,

Mobile, Alabama, as a member of the Good Neighbor Commission, for the term expiring October 1, 1979.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Good Neighbor Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Board of Appeals for the Department of Industrial Relations:

H. Robert Jones—Prattville, Alabama—Succeeding Jim Corley, resigned, for the term expiring March 28, 1977.

Kenneth W. Underwood, Jr.—Montgomery, Alabama—Reappointment for the term expiring March 28, 1981.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Board of Appeals for the Department of Industrial Relations, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Alabama Board of Examiners of Landscape Architects:

Holley A. Mitchell—Auburn, Alabama—Reappointment for the term expiring January 3, 1977.

Robert S. Bateman—Mobile, Alabama—Reappointment for the term expiring January 3, 1976.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Board of Examiners of Landscape Architects, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Dr. Jerry Swindle, Dadeville, Alabama, as a member of the Board of Pensions and Security, for the term expiring August 28, 1979.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Pensions and Security, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Polygraph Examiners Board:

C. C. Wimberly, Sr.—Mobile, Alabama—Reappointment for the term expiring January 14, 1978.

John A. Tupkelewicz—Birmingham, Alabama—Reappointment for the term expiring January 14, 1978.

J. Herman Pitts—Montgomery, Alabama—Reappointment for the term expiring January 14, 1979.

Joe Gallo—Daleville, Alabama—Succeeding Frank Schottgen for the term expiring January 14, 1979.

As these appointments must be confirmed by your Body, I herewith transmit them to you for such action as you may deem right and proper.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE ON THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Polygraph Examiners Board, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Harold N. Stinson, Tuscaloosa, Alabama, from the 7th Congressional District, as a member of the Alabama Educational Television Commission, succeeding Dr. Leslie Wright, resigned, for the term expiring June 25, 1977.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Alabama Educational Television Commission, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Wallace D. Malone, Jr., Birmingham, Alabama, as a member of the Board of Trustees of Troy State University, succeeding R. M. Guillot, for the term expiring October 24, 1983.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the Board of Trustees of Troy State University, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have reappointed, subject to your confirmation, Kyser Wilson, Ariton, Alabama, as a member of the State Personnel Board, for the term expiring March 2, 1981.

Respectfully,

GEORGE C. WALLACE,
Governor.

DONE THIS 23rd DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to an appointment to the State Personnel Board, was read and referred to the Standing Committee on Rules.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 887. To establish a system of regulation and control of coal surface mining and reclamation; a declaration of public policy and legislative intent; a section defining key provisions of this act; the creation and establishment of the Alabama Surface Mining Reclamation Commission with powers and authority; establishes necessity of licenses and qualifications for obtaining licenses, and provides for permits with a right to surface mine and proper application therefor; requires a reclamation plan and map; provides for removal of certain facilities; establishes blasting regulations and setback requirements; sets application fees, bond of operator, insurance requirement, sufficiency of surety, cancellation by surety and suspension of operator's permit; provides for posting of lands; provides for entry upon lands for inspection; provides for reporting of certain information by certain purchasers of coal and provides penalties for the failure to comply; provides for confidentiality of certain records; establishes violations, administrative procedures, procedure for appeals from orders of the Commission, provides for legal remedies, enforcement provisions; and penalties; establishes the

Alabama Surface Mining Reclamation Fund; provides for citizens' suits; provides for rule making procedures; provides saving and conforming provisions and establishes the effective date and orderly transition to said new act and repeals the Surface Mining Act of 1969 (Act 399 Regular Session) as to regulation of coal surface mining only; provides for approval of certain coal leases; provides for severability; sets effective date of the act.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Falkenburg:

H. J. R. 384. WHEREAS, on November 9, 1975, Hewitt Artman Snow, Public Works Director-County Engineer of Jefferson County, will retire after 42 years of distinguished public service to Jefferson County; and

WHEREAS, Mr. Snow's career as a public servant for Jefferson County began in 1933 and continued until the present with the exception of his taking leave to serve in the United States Marine Corps in World War II and the Korean Conflict during which service he distinguished himself and received many citations and numerous medals including the Marine commendation and the Bronze Star, and during which service he demonstrated his brilliant engineering knowledge in the construction of a Marine Airstrip while under constant Chinese fire at Chosin Reservoir in northeast Korea; and

WHEREAS, in 1962, after service in each department of the County engineering division, Mr. Snow was appointed as County Engineer of Jefferson County and has continuously since that time demonstrated his brilliance and tireless devotion to Jefferson County in the use of the best engineering standards in the design, construction, maintenance and operation of public facilities in his County; and

WHEREAS, Mr. Snow's efforts and outstanding professional service to his County resulted in his being selected by the National Association of County Engineers as the outstanding "Urban County Engineer of the Year" in 1971; and

WHEREAS, in 1949 while in the service of his County, Mr. Snow, as design engineer, did design a bridge for the Locust Fork of the Black Warrior River, said bridge being 586.58 feet long and which bridge because of unusual design requirements, it being a continuous plate girder bridge,

required tremendous skill and hundreds of manhours of design calculations, and which efforts of Mr. Snow resulted in the construction of said bridge in 1949, and which bridge is now known as the Maxine Bridge, and which bridge is located near Mr. Snow's homeplace of Maxine, Alabama; and

WHEREAS, the Legislature of Alabama desires to honor Mr. Snow for his many years of dedicated public service to the people of Jefferson County and of Alabama by renaming said bridge in his honor.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the bridge in Jefferson County at the Locust Fork of the Black Warrior River, now known as the Maxine Bridge, be named, and it hereby is named, The Hewitt Artman Snow Bridge.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Honorable Hewitt Artman Snow.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 384, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. McNair, Porter and Falkenburg:

H. 405. To amend Section 367 of Title 52 Code of Alabama of 1940, as amended, which relates to the administration of the Teachers' Retirement System of Alabama; to provide that the election of certain trustees to the Board of Control of the Teachers' Retirement System be accomplished by an annual statewide election, conducted under the rules, regulations and supervision of said Board of Control; to provide that each member of the Retirement System shall be eligible to vote for each position subject to election; and to provide for the admissibility of microfilmed records.

By Mr. Gafford, et al:

H. 851. To extend the state employees' retirement system and any state employees' insurance plan to members of the legislature, who for the purpose of coming within the provisions of these plans shall be considered "state employees"; providing that the legislators shall on a voluntary basis elect whether or not they choose to take part in the retirement system or insurance plan; and that the total compensation paid members of the Legislature including per diem, wages, fees, travel and expense allowances and all other forms of compensation shall, for the purposes of this act, be considered as salary for the purpose of making deductions for the insurance and retirement plans.

By Mr. Crowe:

H. 1104. To authorize the Division of State Parks, Monuments and Historical Sites of the Department of Conservation and Natural Resources to do and perform through its own labor force maintenance within the parks system and capital improvement projects not exceeding Five Thousand Dollars (\$5,000) in material cost and to further authorize said Division to purchase equipment and materials for said maintenance or capital improvement projects and to provide for the approval of accounting procedures by the Examiners of Public Accounts.

By Messrs. Hill, Teague and Dial:

H. 63. To amend Section 1 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, p. 734) as amended (Title 55, Section 456, Code of Alabama 1940, Recompiled 1958, and as amended), which relates to the Employees' Retirement System of Alabama; so as to provide that the "average final compensation" used to calculate a member's retirement benefit will be based upon the three (3) years, rather than the five (5), of the final ten (10) years of membership service in which earnable compensation is highest. To also provide for the redetermination of all retirement allowance payments due on or after October 1, 1975, to members who retire prior to said date. Also to provide for necessary and proper appropriations to carry out the provisions of this Act.

By Mr. Torbert:

S. 1238. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

By Mr. McDonald (A):

S. 1186. To provide that all public educational institutions and facilities shall be exempted from the payment of any utility tax of whatsoever nature now imposed by law.

By Mr. McMillan, et al:

H. 283. To authorize the County Commission or like governing body of each of the several counties to appoint an Engineer Trainee; to provide for the qualifications and duties of such Engineer Trainee; and to provide for State participation in the salary of such Engineer Trainee appointed.

By Mr. Waggoner:

H. 1707. Relating to medical clinic boards organized under Act No. 516 (1955 Regular Session), as amended; providing that in cases where any

debt service reserve fund established by a medical clinic board is to be entirely funded out of bond proceeds, it will not be necessary for the rental under any related lease to include amounts sufficient to build up such debt service reserve and, in such cases, dispenses with the necessity of any findings by the Board of Directors of any such medical clinic board with respect thereto; providing that medical clinic board bonds may mature at such time or times not exceeding forty years from their date; providing that refunding bonds issued by such a medical clinic board need not be payable solely out of the same revenues out of which the refunded bonds were payable; and specifying that all the aforesaid provisions shall apply both prospectively and retrospectively except in certain specified cases.

By Messrs. Clemon and Pearson:

S. 1244. To provide that Unemployment Insurance Fraud Investigators and certain other employees of the Department of Industrial Relations, designated in writing by the Director thereof, shall be peace officers of the State of Alabama with police power to enforce the Alabama Unemployment Compensation Law and the criminal laws of the State of Alabama.

By Messrs. Clemon and Pearson:

S. 1243. To amend the provisions of Act No. 763, H. 286, 1973 Regular Session, approved September 5, 1973, which provided a \$5.00 per day subsistence allowance for certain law enforcement officers, so as to extend the provisions of said Act to state law enforcement officers employed by the Industrial Relations Department.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Manley, et al (With Amendment):

H. 1316. To designate the Alabama Historical Commission as the agency responsible for retaining the historic and architectural integrity of the State Capitol, a National Historic Landmark.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Gafford, et al:

H. 852. Proposing an amendment to the Constitution of Alabama providing that legislators may elect to come within the provisions of the state employees' retirement system and any state employees' insurance plan.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Merrill:

H. 336. To provide that a retired member of the Teachers' Retirement System of Alabama may earn up to \$4,800 from any source without affecting their retirement pay.

By Mr. Merrill:

H. 337. To provide that a retired member of the State Employees' Retirement System may earn up to \$4,800 from any source without affecting their retirement pay.

By Mr. Biddle:

H. 475. To provide that in any county in this state, the official authorized to issue automobile license plates shall issue license plates without state ownership identification at no charge to the Governor, to any state official, or to any state investigator for use on a state-owned vehicle when requested to do so as a safety measure by the Director of Public Safety.

By Mr. Owens:

H. 537. To amend Section 458, Title 55, 1940 Code of Alabama, as amended, to permit a retired State Policeman to accept employment within any Department or Agency of the State government of Alabama without being required to become or remain a member of the state retirement system as a condition of their employment, or be denied retirement benefits otherwise earned as a state policeman during such term of employment in a classified position other than state policeman.

By Messrs. McCulley and Crowe:

H. 658. To amend Section 25 of Act No. 1, Regular Session 1945 (Acts of Alabama 1945, p. 1), by increasing the permit fee for oil and gas wells and to provide for the disposition of permit fees, penalties and publication fees in the Oil and Gas Fund.

By Mr. McMillan, et al:

H. 288. To provide that all monies received by Counties from motor vehicle license taxes and registration fees under provisions of Title 51 § 713, Code of Alabama, as amended shall be deposited in a fund known as the Public Highway and Traffic Fund and used for the purpose of construction, improvement and maintenance of public highways or streets including administrative expenses in connection therewith, retirement of securities evidencing obligations incurred for payment of cost of such construction, improvement and maintenance, costs of traffic regulation and expense of enforcing state traffic and motor vehicle laws.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

S. 1249. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the

Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Ellis, Vacca and Clemon (With Substitute):

S. 1252. To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize local governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Andrews:

H. 1321. To apply to every county of the State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county may provide by ordinance for taking possession of, storing and selling any abandoned, stolen or contraband property found in the county; to provide that any such ordinance may prescribe the conditions on which such property may be taken into possession, stored and sold; and to provide what other provisions any such ordinance shall contain.

By Mr. Andrews:

H. 1322. To apply to every county of this State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county shall be authorized to provide an auxiliary courtroom for any inferior court established in the county if public need and public interest so require and to discontinue any such auxiliary courtroom the maintenance of which public need and public interest do not require.

By Mr. Gafford:

H. 1660. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to allow for the lawful dispensing by any food-service establishment of sugar in containers other than individual, single service packages.

Mr. Fine, Chairman of the Standing Committee on Banking, reported that said committee, in session, had acted on the following bill and ordered

same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lutz and Killian:

H. 512. To amend Sections 9 and 11 of the Securities Act of Alabama, being Sections 9 and 11 of Act No. 542, Regular Session 1959, (Acts of 1959, p. 1335 et. seq.) as amended by Section 9 of Act No. 605, Regular Session 1969 (Acts of 1969, p. 1104 et. seq.), now appearing as Sections 36 and 38 of Title 53, Code of Alabama 1940 (Recompiled 1958) which regulate transactions in securities in Alabama so as to resolve an ambiguity and make it clear that Alabama Credit Unions are entitled to the same exemptions enjoyed by banks, savings and loan associations and trust companies.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Noonan, Roberts and Perloff:

S. 1179. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

By Mr. Edwards (with notice and proof):

S. 1183. To provide for the payment out of the general fund of Morgan County of expenses incurred by any elected official of the county in the performance of the duties of his office.

By Mr. Edwards (with notice and proof):

S. 1187. To provide for the payment out of the general fund of Morgan County of the dues of elected officials of the county in state or national organizations applicable to his office and for the expenses of any elected official in attending state and national conferences or conventions.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waldrop (With Amendments):

S. 1237. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; levying a privilege license tax upon the sale, use or consumption, distributing, storing or withdrawing from storage, of malt or brewed beverages within such counties; providing for the collection and distribution of the proceeds of said tax; providing for the administration of the Act; providing penalties for violations of the Act; repealing conflicting laws, including municipal ordinances; providing that this Act be severable; and providing for the effective date hereof.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. St. John (with notice and proof):

S. 1242. Relating to Cullman County: providing further for the government of the county; abolishing the county commission created by Act No. 167, H. 422 of the Regular Session of 1959, and creating a new commission in lieu thereof; providing for the selection of the members of such commission; prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission hereby created, and for the powers and duties of the individual members thereof; providing for and regulating county purchasing and the custody and use of certain county property; divesting the highway department of certain county functions and duties in relation to roads and bridges in Cullman County, heretofore transferred to it, and revesting such functions in the county governing body of Cullman County, providing, however, for the construction, maintenance and repair of county roads on the unit basis; providing for the transfer of certain funds, equipment, material and personnel from the state highway department to the commission hereby created; providing for the payment of salaries of certain county employees; providing that this Act shall become effective only upon a referendum at which two questions shall be submitted: 1. Shall Cullman County take over the construction of its own roads and bridges? and 2. Shall the present governing body of Cullman County be abolished and a new governing body be created as prescribed in this Act?

By Mr. Baker:

S. 1255. Relating to counties having a population of not less than 41,500 nor more than 45,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the county court.

By Mr. Owen (with notice and proof):

S. 1254. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Citronelle, in Mobile County.

By Mr. Little:

S. 1253. To authorize the governing body of any city having a population of not less than 22,000 nor more than 25,000 according to the most recent federal decennial census, to establish a parking authority as a public corporation for the purposes of financing, acquiring, constructing, enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and related facilities including offices for any such authority, and leasing or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, enter into contracts, acquire and dispose of properties to provide that such bonds shall be negotiable instruments; to authorize such authority to exercise all powers, privileges and rights necessary to implement the provisions of this Act; to provide for the dissolution of the authority and the disposition of its property and to repeal all conflicting statutes.

By Mrs. Quarles:

H. 90. Relating to counties having populations of not less than 27,900 nor more than 33,500; to provide an additional per diem and mileage expense allowance for jurors in such counties.

By Messrs. Wyatt, Plaster and Lewis (with notice and proof):

H. 186. Relating to Montgomery County: To authorize and establish the office of warrant magistrate; to provide for the appointment of three warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment of same; to repeal conflicting laws.

By Mrs. Quarles (with notice and proof):

H. 313. To authorize and provide for a referendum in St. Clair County to determine the sentiment of the voters relative to whether the chairman of the county commission shall be elected or the judge of probate shall be ex officio a member and the chairman of the commission; and to provide for filling the chairmanship of the governing body in the manner favored by the voters of the county at such referendum.

By Messrs. Starkey, Killian and Lutz (with notice and proof):

H. 450. Relating to Jackson County, providing for a salary for the chairman of the county governing body and providing for a monthly expense allowance for the chairman and members of said county governing body.

By Mrs. Quarles:

H. 462. To provide an expense allowance for each member of the county commission of all counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census, which shall supercede any provision heretofore made for expense allowances of such commissions; and providing that the provisions of this Act shall have a retroactive effect.

By Messrs. Lee and Owens:

H. 916. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

By Messrs. LeFlore, Callahan, Malone, Cooper, Sandusky and McCulley:

H. 995. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

The above Bill was read a second time at length as required by the Constitution.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Callahan, Sandusky, Sonnier, McMillan, Cooper and Kennedy (With Amendment):

H. 1121. To amend further Act No. 263, S. 222, Special Session 1961 (Acts 1961, p. 2280), relating to the compensation of election officers in counties having populations of not less than 300,000 nor more than 500,000.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (J) (with notice and proof):

H. 1149. Relating to Geneva County; to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners.

By Messrs. Callahan and Sonnier:

H. 1162. To further amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, as amended, to provide for an increase in funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

By Messrs. Callahan and Sonnier:

H. 1164. To further amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as amended, to provide for an increase in funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

By Messrs. Gregg, Riddick, Albright and Smith (B):

H. 1200. To amend Section 3 of Act No. 2137 (H. 2624), approved October 1, 1971, entitled: "An Act relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within

said counties to operate all or any portion of any such service under contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith."

By Messrs. Gregg, Albright, Smith (B) and Riddick:

H. 1201. To provide that when any physician, dentist, nurse, member of any organized rescue squad, or member of any police or fire department in any county of a population of 170,000 to 300,000, or in any city or town located in any county of a population of 170,000 to 300,000; any Alabama-licensed emergency medical technician, medical student, intern or resident practicing in a hospital in any county of a population of 170,000 to 300,000, with a training program approved by the American Medical Association; any employee of any public hospital corporation authorized to operate and operating an emergency ambulance service under the provisions of Act 2137, 1971 Legislature of Alabama, as amended; or any owner or employee of any licensee, franchisee, or contractor of any public hospital corporation in any county of a population of 170,000 to 300,000 gratuitously and in good faith renders first aid or emergency care to persons injured, or gives advice to anyone rendering aid or emergency care to persons injured, he shall not be liable for civil damages as a result of the acts or omissions resulting from said emergency care.

By Messrs. Lutz and Smith (B) (with notice and proof):

H. 1264. Relating to Madison County; to amend Act No. 120, H. 599, of the 1973 Regular Session; to authorize the governing body of said county to expend funds to reimburse the Tax Assessor for travel performed in the county in connection with the duties of that office.

By Mr. Callahan (with notice and proof):

H. 1279. To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

By Messrs. Holmes, Wyatt and Lewis:

H. 1299. To amend Act 618 of the Regular Session of 1973 to provide further concerning the power of the council.

By Messrs. Holmes, Wyatt and Lewis:

H. 1301. To amend Act 618 of the Regular Session of 1973 to provide further concerning the powers and duties of the mayor.

By Mr. Johnson:

H. 1382. Relating to counties having a population not less than 115,000 nor greater than 150,000, according to the latest federal decennial census; providing that the sheriff in such counties shall receive \$350 per month expense allowance, to become salary at the end of the present incumbent's term of office.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Rich (with notice and proof) (With Substitute):

H. 1392. Relating to Etowah County; to provide for election of the county superintendent of education; to prescribe the qualifications, duties, term of office, and compensation of such officer; and to repeal Act No. 540, S. 593 of the Regular Session of 1967 and all other conflicting laws.

By Messrs. Moore (O) and Waggoner (With Substitute):

H. 1466. To provide for the creation, incorporation, organization, operation, administration, and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, supplying water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services; and the guarding and protection of lives and property; to provide for the fixing, levy and collection of rates, fees and charges for such services, penalties for non-payment, and liens upon the property in the District to enforce the payment of such charges; and to provide for the borrowing of money and the issuance of bonds or other obligations by or on behalf of such districts.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Killian (with notice and proof):

H. 1479. Relating to DeKalb County; to provide an additional expense allowance for the chairman and members of the county commission.

By Mr. Clark:

H. 1532. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census to authorize the county commission to design, accept designs, and adopt an official county flag; to expend funds necessary for the making and designing an official flag of said county.

By Mr. Clark:

H. 1533. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide a clerical assistant to the tax collector.

By Mr. Clark:

H. 1535. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional expense allowance for the county commission.

By Mr. Clark:

H. 1536. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional clerk hire allowance for the tax assessor.

By Messrs. Greer, Hill and Coburn (with notice and proof):

H. 1563. To extend, alter and rearrange the boundaries and corporate limits of the Town of Killen so as to annex certain adjacent territory to the Town of Killen.

By Messrs. Sparks and Drake (with notice and proof):

H. 1580. Relating to Cullman County; to provide that the sheriff's department shall be authorized to employ an additional investigator and two additional deputies; to provide for their compensation and to provide an additional squad car for the sheriff's office.

By Messrs. Sparks and Drake (with notice and proof):

H. 1581. Relating to Cullman County; to reimburse the office of the tax collector for any monetary loss resulting in the performance of official duties from errors or mistakes, made in good faith, and upon proper certification by the state auditor, not to exceed a maximum of fifteen hundred dollars per annum; making the provisions herein retroactive to October 1, 1972.

By Mr. Owens (with notice and proof):

H. 1590. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Tuscaloosa County.

By Mr. Owens (with notice and proof):

H. 1592. To provide in Tuscaloosa County, Alabama, for the creation, maintenance and regulation of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes; to prescribe conditions and regulations relative to the creation of such districts; to prescribe the organization, rights and powers of such districts; to prescribe limitations on such rights and powers and to repeal all conflicting statutes.

By Messrs. Moore (W), Lutz, Albright, Riddick and Smith (B) (with notice and proof):

H. 1597. To provide that the Madison County Commission may employ a legislative aid to assist the Madison County Delegation to the Legislature of the State.

By Mr. Smith (M) (with notice and proof):

H. 1619. To provide for the election of members of the county board of education of Chambers County, Alabama; to define the school districts from which the members of the county board of education are elected.

By Messrs. Kelley and Mitchem:

H. 1627. To amend Act No. 716, H. 1486, 1973 Regular Session (Acts of 1973, p. 1071), entitled, "An Act Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of

investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit," so as to provide for an additional secretarial assistant and to effect changes in the salary of the investigator and the assistants.

By Mr. Plaster (with notice and proof):

H. 1636. To alter or rearrange the boundary lines of the Town of Lowndesboro, Lowndes County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Lowndesboro, Alabama.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reed (With Amendment):

H. 1662. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Greer, Coburn and Hill:

H. 1667. Relating to the coroner's office in all counties having populations of not less than 65,500 nor more than 75,200 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

By Mr. Crowe (with notice and proof):

H. 1668. To provide for branch banking in Winston County.

By Messrs. Barron, Holmes, Lewis, Harris and Plaster (with notice and proof):

H. 1671. Relating to the Fifteenth Judicial Circuit of Montgomery County, to provide additional compensation or salary for the official court reporters; providing for the payment thereof from the county general fund and providing for a fee as part of cost for reporting a case.

By Mr. Warren (with notice and proof):

H. 1673. Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session of the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws.

By Mr. Warren (with notice and proof):

H. 1674. Relating to Monroe County; to authorize the Sheriff to mail subpoenas for jury duty and notices of appointment to election officials with first class postage and to authorize the county commission to make expenditures from the county general fund for such purpose.

By Mr. Warren (with notice and proof):

H. 1675. Relating to law enforcement in Monroe County; fixing the fee for the issuance of pistol permits; and prescribing the use of such fees.

By Mr. Warren (with notice and proof):

H. 1676. Relating to Monroe County; to provide for the mailing addresses of the grantors and grantees, on all conveyances of real property; to become effective six months from the date this act becomes law.

By Mr. Warren (with notice and proof):

H. 1677. Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws.

By Messrs. Brindley and Ford (with notice and proof):

H. 1678. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Walnut Grove, in Etowah County.

By Messrs. Brindley and Jolly (with notice and proof):

H. 1680. Relating to Blount County; to provide the county commissioners power to authorize county personnel to open graves for interment, repair and maintain existing roads, build roads, and other labor related thereto, in all private or public cemeteries, including any cemetery authority owned, governed, controlled, or operated by: any church or religious society or denomination, religious corporation, church, or corporation sole.

By Messrs. Brindley and Jolly (with notice and proof):

H. 1681. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Snead, in Blount County.

By Mr. Sasser (with notice and proof):

H. 1683. To authorize and direct the Board of Education of Dale County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

By Messrs. Crawford and Sasser (with notice and proof):

H. 1687. Relating to Henry County; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such county.

By Messrs. Shelton, Quarles and Merrill (with notice and proof):

H. 1702. To provide that any municipality within Calhoun County

may hold a referendum every four years on the question of allowing said municipality to become or remain legally dry, or to become or remain legally wet.

By Mrs. Quarles (with notice and proof):

H. 1716. To provide for a retirement pension for members of the county governing body of St. Clair County, to set the eligibility requirements for such pension and the amount, including contributions to retirement fund, and method and source of payment thereof.

By Mr. Starkey:

H. 1722. Relating to cities having a population of not less than 9,200 nor more than 9,400 inhabitants according to the most recent federal decennial census; to provide retirement allowances for elected officials in such cities and to provide for the payment of such allowances.

By Mr. Merrill and Mrs. Quarles:

H. 1735. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

By Mr. Merrill and Mrs. Quarles:

H. 1736. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Jolly and Brindley:

H. 1741. Amending Section 1 of Act No. 567, H. 1518 of the Regular Session of 1973 (Acts 1973, page, 824) entitled An Act Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties, so as to increase the fees and charges set out therein.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cross (With Amendment):

H. 1742. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent

federal decennial census; requiring the county governing body to appropriate certain funds to the sheriff to be expended solely by him to cover expenses of his office.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mitchem (with notice and proof):

H. 1747. To extend the boundaries of the City of Albertville in Marshall County.

By Messrs. Riddick, Smith (B) and Gregg (with notice and proof):

*H. 1748. To authorize the Board of Education of the City of Huntsville in Madison County to operate, either directly or by contract, a public transit system for the purpose of transporting pupils to and from the public schools of said city, to authorize a fare to be charged by said Board to students riding said public transit system calculated to yield to the Board the difference in public funds received by the Board for transportation and the cost of said service to the Board; to provide that the provisions of this act are severable; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this act.

By Messrs. Edwards and Plaster:

H. 1754. Relating to all counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; conferring additional powers on the circuit clerk and register.

By Messrs. Smith (M), Higginbotham, Turnham and Morris:

H. 1561. To apply in all counties having populations of not less than 35,000 nor more than 38,000, according to the most recent Federal decennial census, to exempt any public water system from the payment of all state, county and municipal sales and use taxes.

By Messrs. Edwards and Plaster:

H. 1755. To amend further Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts of 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessor and tax collector in each county having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

By Messrs. Merrill, Shelton and Mrs. Quarles:

H. 1756. To authorize the county commission of all counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census to make expenditures from the county general fund for bi-centennial purposes.

By Mr. Teague:

H. 1758. To provide for compensation for members of the jury commission in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

By Messrs. Kinsey and McMillan:

H. 1762. Relating to counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; to prescribe additional license and fee requirements for area "annual all game hunting license", "annual small game only hunting license", "trip small game hunting license", "annual castnet fishing license", "trip fishing license", and "annual game fishing license" for non-residents of this state; to provide for the deposit of funds in the county treasury and the use thereof; to prescribe penalties for violations of this act.

By Messrs. Morris and Turnham:

H. 1763. Relating to counties having populations of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide for an expense allowance for the probate judge of such counties.

By Mr. Folmar:

H. 1774. Relating to counties having a population of not less than 24,900 nor more than 25,150 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for members of the county commission.

By Messrs. Starkey and Lutz:

H. 1775. Relating to counties with populations of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; providing for an additional expense allowance for county judges of such counties, payable from the county general fund.

By Mr. Venable (with notice and proof):

H. 1779. Relating to Elmore County; to amend Section 4 of Act No. 997, H. 1177, Regular Session 1971 (Acts 1971, Vol. III, p. 1811), to further provide for the use of funds derived from the sale of pistol permits.

By Mr. Venable (with notice and proof):

H. 1780. Relating to Elmore County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties and prescribing certain other meeting places in lieu thereof.

By Mr. Venable (with notice and proof):

H. 1781. Relating to Elmore County; to provide further for expense allowances for members of the Elmore County Board of Registrars.

By Messrs. Campbell and Manley:

H. 1787. Relating to counties with populations of not less than 16,700 nor more than 18,000 inhabitants according to the most recent federal decennial census; to authorize the county commission or other like county governing body of such counties to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor and circuit clerk; such clerks to be appointed for a term and paid an amount established by the said county commission.

By Messrs. Roberts, Cross, Martin and Drake (with notice and proof):

H. 1791. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Messrs. Greer and Hill (with notice and proof):

H. 1792. To amend the title of Section 1 of Act No. 792, H. 924, 1969 (Acts of 1969, p. 1423) so as to provide a salary for the Lauderdale County board of registrars of \$25 per diem and to increase the hours which the place for registration shall be open.

By Messrs. Greer and Hill (with notice and proof):

H. 1793. Relating to Lauderdale County; to authorize the state highway department to use county road funds to maintain public cemetery roads.

By Messrs. Hill and Greer (with notice and proof):

H. 1794. To empower the county commission of Lauderdale County to authorize any local bank to sell automobile license tags for the county, between the dates of October 1 and November 15 of each year.

By Mr. Taylor:

H. 1796. Relating to all counties having a population of not less than 90,000 nor more than 100,000 inhabitants according to the most recent federal decennial census; to provide that the county commission or other like governing body of such counties shall authorize the payment of a certain conditional supplement to the county judge's salary; and repeal all conflicting statutes.

By Messrs. Brindley and Jolly (with notice and proof):

H. 1797. Relating to Blount County; to provide further for the compensation of the judge of the Law and Equity Court of Blount County.

By Mr. Cross:

H. 1799. Relating to all counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; providing that the county governing bodies of such counties may appoint a deputy warrant clerk who shall be authorized under certain conditions to take affidavits and complaints, issue warrants of arrest in misdemeanor and felony cases and issue search warrants; permitting compensation therefor to be paid out of the general fund of the county treasury.

By Mr. Kelley:

H. 1800. Relating to Marshall County; requiring the board of registrars to hold voter registration meetings at each high school and college in the county twice a year; and to relieve them of the duty of visiting each precinct.

By Messrs. Smith (B), Riddick and Albright (with notice and proof):

H. 1801. To provide that the Planning Commission of the City of Huntsville, Alabama, created pursuant to Title 37, Section 788, 1940 Code of Alabama, shall consist of twelve (12) members, as herein provided; to

provide that adoption or amendment of any plan shall be carried by the affirmative votes of not less than eight (8) members; to provide that six (6) members of the Commission shall constitute a quorum; and to provide that the approval of any subdivision, and the passage of any question before the Commission, other than the adoption or amendment of any plan, shall be carried by a majority vote of those members present.

By Mr. McCluskey:

H. 1868. To amend further Act No. 68, H. 92, First Special Session 1956, an act fixing the compensation of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

By Mr. Dial (with notice and proof):

H. 1803. To regulate and control the operation and licensing of massage parlors within Cleburne county; and providing penalties for violation.

By Messrs. Moore (O) and Waggoner:

H. 1469. To propose an amendment to the Constitution of Alabama, which, if approved by the electors of Shelby County, would authorize the Legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, furnishing water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services, and the guarding and protection of lives and property; to provide for the fixing, levy and collection by such districts of rates, fees and charges for such services, penalties for non-payment and liens upon the property within such districts; and to provide for the borrowing of money and the issuance of bonds and other obligations by or on behalf of such districts; and to ratify and confirm any such law enacted by the Legislature at or after its present session but prior to the ratification of the proposed amendment.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Drake, Cross, Roberts and Martin (with notice and proof):

H. 1818. Relating to Morgan County, to alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville.

By Messrs. Waggoner and Smith (C):

H. 1819. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to appropriate not more than 1¢ per person according to the 1970 federal decennial census for celebrating the bicentennial observance during the fiscal year 1975-76.

By Messrs. Waggoner and Smith (C):

H. 1820. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to pay \$5.00 to each person attending

an official school for election officials and who serve as an election official in the next election following such school.

By Messrs. Hill and Greer:

H. 1825. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; authorizing the county governing body of such counties to develop and establish a prisoner rehabilitation program which would include a livestock raising and farming area for the purpose of inmates occupying their time in supplementing prison food, and including the leasing or purchasing of land for such purpose and purchasing equipment and supplies incident thereto; providing that the cost for such program be paid out of the county general fund and from funds designated for prisoners' feeding allowance; and prescribing penalties for violations by inmates.

By Messrs. McMillan and Kinsey:

H. 1858. To apply only in counties having a population of not less than 57,000 nor more than 61,000; providing for service of witness subpoenas by mail.

By Messrs. McMillan and Kinsey:

H. 1857. Relating to all counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing for service of process in civil cases by registered mail.

By Messrs. Hill and Greer:

H. 1826. Relating to counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; providing additional compensation for official court reports of the circuit courts in such counties.

By Mr. Cates (with notice and proof):

H. 1828. Relating to Butler County; to provide salaries for certain county officers including an annual salary adjustment based on the cost of living index; and to provide that the county commission has the authority for providing and fixing the salaries of the employees of the county officers affected by this Act.

By Mr. Owens:

H. 1831. Relating to all counties having a population of not less than 13,500 nor more than 14,250 inhabitants according to the most recent federal decennial census; authorizing the county governing bodies of such counties to make an additional annual appropriation to the tax assessor and tax collector for clerk hire allowances to be paid from the county treasury.

By Mr. McNees:

H. 1860. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to

ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

By Mr. McNees:

H. 1861. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owen (with notice and proof) (With Amendment):

S. 1071. Relating to Washington County; providing for the election of the county commission by the county at large; and providing for the residence of the commissioners from districts defined herein.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan (with notice and proof):

H. 376. Relating to Mobile County; to provide that any monies in the general fund of Mobile County may be used by the County governing body to pay the doctor, medical, hospital bills and any expenses required for rehabilitative purposes of any County employee who is injured in the line of duty; and to make provisions of this Act retroactive to January 1, 1973.

By Messrs. Johnstone and Kennedy:

H. 229. To provide that in every county having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of the county is authorized to pay a monthly pension to any public law librarian upon retirement, and the chief circuit judge of the judicial circuit comprising such county is authorized to pay an additional monthly pension from any law library fund to such law librarian upon such retirement; and to prescribe the terms and conditions of such retirement and such pensions.

By Messrs. Sandusky, Sonnier and Kennedy:

H. 360. To further regulate the fees and allowances in criminal cases of sheriffs in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent or any subsequent Federal decennial census.

By Messrs. Sandusky, Sonnier and Kennedy:

H. 364. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint an administrative assistant, to provide for the appointment for such administrative assistant, the term of office of such administrative assistant, to provide for the salary of such administrative assistant, and the method of payment of such salary.

By Messrs. Sonnier, Malone, Kennedy, Sandusky, LeFlore and Cooper:

H. 365. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

By Messrs. Sonnier, Malone, Kennedy, Sandusky, LeFlore and Cooper:

H. 366. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a secretary, to provide for the appointment of such secretary, the term of office of such secretary, to provide for the salary of such secretary, and the method of payment of such secretary.

By Mr. Callahan:

H. 378. To fix the compensation or salary of the Clerk of the Circuit Court in all counties of Alabama having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan (With Substitute):

H. 570. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597) relating to the sheriff's department and counties having populations of not less than 300,000 nor more than 500,000.

By Mr. Callahan (with notice and proof) (With Substitute):

H. 783. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1975, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a

favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan (with notice and proof) (With Amendment):

H. 784. To apply only in Mobile County; providing for service of witness subpoenas by mail.

By Mr. Callahan (with notice and proof) (With Amendment):

H. 1517. Relating to Mobile County; to provide further for the disposition and use of a certain portion of the funds received by Mobile County under the provisions of Act No. 2, H. 47, Regular Session 1945 (Acts 1945, p. 20), as amended, providing for an oil and gas severance tax, and to specifically repeal Act No. 29, H. 30, Second Special Session 1956 (Acts 1956, p. 299), and all other laws or parts of laws in conflict herewith.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Shelton and Merrill (with notice and proof):

H. 1703. To amend Act No. 2182, H. 2753 Regular Session 1971 (Acts 1971, 3489) entitled An Act to provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws, so as to increase the pay of members of the Board, and to increase the authorized expenditure of the municipality for the operation of the board, and further limit the officers and employees to which the act shall not apply.

By Mr. Reed:

H. 1720. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

By Mr. Kennedy:

H. 1664. To provide that any city of the state having a population of more than 41,000 and less than 45,000 inhabitants according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

By Messrs. Callahan and Sonnier:

H. 1670. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue certain plates for use on certain emergency search and rescue vehicles without charge; prescribing the color and prefix for such plates and repealing all conflicting statutes.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Howard (With Substitute):

H. 1824. To amend Section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243) entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provisions for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," so as to provide for the taxation of diesel fuel when such fuel is to be used in an internal combustion engine for the purpose of propulsion of a vehicle on public roads, streets, highways, ferries or bridges.

RESOLUTION

Messrs. Foshee and Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 135. PROVIDING FOR INTERIM COMMITTEES BETWEEN THE REGULAR SESSIONS OF 1975, 1976, 1977 and 1978.

WHEREAS the annual sessions amendment to the Alabama Constitution has substantially reduced the meeting time of the Alabama Legislature and thereby the time of consideration of matters before it; and

WHEREAS it is most important to the people of Alabama that the Legislature be as well informed as possible on matters brought before it in order that intelligent decisions may be made without undue delay; and

WHEREAS the annual meetings of the Legislature require more and more time for the annual consideration of the funding of state agencies; and

WHEREAS it is desirable that the Legislature prepare itself as best as possible on the funding of state agencies and other pending matters during the interim between the regular sessions of the Legislature; and

WHEREAS consideration during the interim between the regular sessions of issues known to be coming before the next regular session would substantially reduce the time devoted to these issues during the session; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there are hereby established interim committees consisting of the various standing committees of the Legislature.

The committees shall meet during the interim between the regular sessions of 1975, 1976, 1977 and 1978 on the call of their chairmen with the prior written consent of the presiding officer of the house in which the committee serves.

The interim committees created by this resolution shall consider, generally, matters within the ordinary scope of the committee and, specifically, shall consider bills prefiled and referred to the committee by the presiding officers of their respective houses.

Conclusions reached by the interim committees created by this resolution on prefiled legislation shall not be binding at the time the bills are considered during the regular session; however, the committee shall keep records and decisions reached during the interim shall be considered when the committee meets in regular session.

All meetings of the interim committees created by this resolution shall be in Montgomery, Alabama and members of the committees shall be entitled to their regular legislative compensation and travel as provided by law for each day spent on the committees' business in accordance with a proper call of the chairman approved by his presiding officer as referred to above.

The payment of all compensation and travel under this resolution shall be paid from funds appropriated to the use of the Legislature; provided, however, that in no event shall any committee expend more than \$500.00 during any one interim period.

The House and Senate committees, with the consent of the chairman and the presiding officers of the House and Senate, may hold joint meetings to consider matters of common interest.

The Clerk of the House and the Secretary of the Senate shall provide clerical help as needed by the committees of their respective houses and the Legislative Reference Service shall provide such professional help as needed. In addition, the committees, with the prior approval of the presiding officer and the chairman of the committee, shall be authorized to employ additional help in specified area of inquiry when it is determined that neither the Clerk, the Secretary, nor the Legislative Reference Service can satisfy the need of the committee.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 355. DEVELOPING A PLAN FOR ESTABLISHING A CENTRAL COMPUTER REGISTRATION SYSTEM.

The Standing Committee on Rules reported the following amendment to the Resolution, H. J. R. 355, to-wit:

AMENDMENT TO H. J. R. 355

Amend H. J. R. 355 by deleting the last paragraph.

Which was adopted.

And on motion of Mr. Foshee, said Resolution, H. J. R. 355, as thus amended, was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 365. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM COMMITTEE ON FINANCE AND TAXATION.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 135. PROVIDING FOR INTERIM COMMITTEES BETWEEN THE REGULAR SESSIONS OF 1975, 1976, 1977 and 1978.

On motion of Mr. Foshee, said Resolution was then adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following appointment from His Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Promotion of the Honorable Henry H. Cobb, Jr. to the rank of Major General.

And on motion of Mr. Foshee, the appointment of the Honorable Henry H. Cobb, Jr. to the rank of Major General was then confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Bank, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, St. John, Shelby, Stewart, Vacca, Waldrop.

—20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 91. CREATING A SELECT JOINT INTERIM COMMITTEE TO STUDY GRANTS RECEIVED BY THE VARIOUS STATE DEPARTMENTS AND AGENCIES.

On motion of Mr. Foshee, said Resolution was then adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 329. TO NAME THE MEDICAL AND DIAGNOSTIC CENTER OF THE ALABAMA PRISON SYSTEM THAT IS LOCATED IN MONTGOMERY COUNTY "THE KILBY CORRECTIONS FACILITY."

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 335. COMMENDING THE ALABAMA AGRICULTURAL EXPERIMENT STATIONS AND NOTING APPRECIATION DAY FOR 1975, ON NOVEMBER 13, 1975, TO PROVIDE RECOGNITION FOR THEIR 100 YEARS OF SERVICE.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 275. HONORING DOCTOR HARRY M. PHILPOTT.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 121. PROHIBITING PEOPLE OTHER THAN SECURITY OFFICERS FROM CARRYING FIREARMS OR OTHER LETHAL WEAPON IN HOUSE OR SENATE CHAMBERS OR ANY PLACE ON SECOND OR THIRD FLOOR OF THE CAPITOL.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 46. HONORING N. S. "NICK" HARE FOR HIS PIONEER WORK ON THE NEW ALABAMA RULES OF CIVIL PROCEDURE AND IN THE FIELD OF JUDICIAL REFORM.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 159. MEMORIALIZING CONGRESS TO CHANGE THE COPYRIGHT LAW IN ORDER THAT TEACHERS IN SECONDARY AND ELEMENTARY EDUCATION MAY PHOTOCOPY OR OTHERWISE COPY MATERIALS FOR USE FOR EDUCATIONAL PURPOSES.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 6. CREATING A SELECT COMMITTEE TO STUDY THE BEST METHOD OF UTILIZING THE NATURAL RESOURCES OF SOUTHWEST ALABAMA.

The Standing Committee on Rules reported the following amendment to the Resolution, H. J. R. 6, to-wit:

AMENDMENT TO H. J. R. 6

Amend H. J. R. 6 on line 35 by striking the sentence following the word "established." in its entirety.

Which was adopted.

And on motion of Mr. Foshee, said Resolution, H. J. R. 6, as thus amended, was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Communication from the Board of Trustees, Department of Archives and History, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable W. H. Mitchell to the Board of Trustees of the Archives and History Department, 5th Congressional District, for the term expiring November, 1979.

On motion of Mr. Foshee, the appointment of Honorable W. H. Mitchell was confirmed by the Senate.

Yeas 22; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Stewart, Vacca.

—22

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Communication from the Board of Trustees, Department of Archives and History, and ordered same returned to the Senate with a favorable report, to-wit:

Appointment of Honorable Sidney L. McDonald to the Board of Trustees of the Archives and History Department, 4th Congressional District, for the term expiring November, 1979.

On motion of Mr. Foshee, the appointment of Honorable Sidney L. McDonald was confirmed by the Senate.

Yeas 21; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Stewart, Vacca, Waldrop.

—21

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following appointment from His Excellency, the Governor, and ordered same returned to the Senate with a favorable report, to-wit:

Promotion of the Honorable Clarence Frost Rhea to the rank of Brigadier General.

And on motion of Mr. Foshee, the appointment of the Honorable Clarence Frost Rhea to the rank of Brigadier General was then confirmed by the Senate.

Yeas 20; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Vacca, Waldrop.

—20

Nays:

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Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 254. REQUESTING THE DIVISION OF VOCATIONAL EDUCATION FOR COMMUNITY COLLEGES TO SECURE FEDERAL FUNDS FOR ADDITIONAL MINE TRAINING PROGRAMS AT WALKER STATE TECHNICAL COLLEGE, SUMITON, ALABAMA.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

RESOLUTION

Mr. Fine offered the following Senate Resolution, to-wit:

S. R. 136. WHEREAS, The Attorney General of Alabama has not requested an opinion of the United States Department of Justice as to whether the Alabama Ethics Law, Act No. 130, 1975, is in conflict with the provisions of the Voting Rights Act of 1965, and

WHEREAS, It is imperative that this body be assured of the legality of its actions; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, That the Lieutenant Governor make request of the U. S. Department of Justice as to whether Act No. 130, 1975, is in conflict with the Voting Rights Act of 1965. U.S.C.A. Title 42, Chapter 20, Sections 1971-1974 (e).

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 1162. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Triana in said County to regulate and control the sale of alcoholic beverages within the corporate limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses; to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises; and providing for penalties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens:

H. 1365. Relating to ambulances; to provide that it shall be a misdemeanor for any person to summon an ambulance when it is not needed or to obtain or receive ambulance services without intending to pay for such services; to prescribe rules and procedures relative to the prosecution of such violations; to prescribe penalties for conviction of such violations; to authorize any county or municipality to use public funds to contract for ambulance service under certain conditions and to repeal all conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1365. To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Teague:

H. 1711. To permit banks now or hereinafter situated in the City of Childersburg in Talladega County to establish, maintain and operate branch banks and branch offices within the limits of said city for the conduct of a general banking and trust business; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To permit banks now or hereinafter situated in the City of Childersburg in Talladega County to establish, maintain and operate branch banks and branch offices within the limits of said city for the conduct of a general banking and trust business; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank, whether incorporated or unincorporated, within this state, now or hereinafter situated in the City of Childersburg in Talladega County, shall have the power to establish, maintain and operate within the limits of said city, one or more branches or branch banks, branch offices, branch agencies, additional offices, or branch places of business for the receipt of deposits, payment of checks, lending of money and the conduct of a general banking and trust business, provided that such bank before the establishment of any such branch or branches, shall first secure the written consent thereto of the state superintendent of banks, or other appropriate regulatory authority.

Section 2. The provisions of Code of Alabama 1940, Title 5, Section 125, which conflict with this Act are specifically repealed as to the county and city in which this Act applies, and all other laws, general or local in conflict herewith, are also repealed as to such city and county.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, Gary Dobbs, editor of The Childersburg Star, published weekly at Childersburg, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published Childersburg Star in the regular and entire issue of said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated July 21, 1975, and ending with the issue dated Aug. 21, 1975.

GARY P. DOBBS.

Subscribed and sworn before me this 21 day of August, 1975.

W. A. ROGNELSON,
Notary Public.

My Commission Expires May 15, 1978.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1711. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Moore (W), Carter, Lutz, Smith (B), Riddick, Moore (O),

Martin, Roberts, Cross, Starkey, Gafford, White, Andrews, Trammell, Coburn, Crowe, Smith (M), Hilliard, Jackson (R), Mitchem, Hopping, Lee, Kelley, Whatley, Leonard, Smith (J), Greer, Drake, Robertson, Sparks, Pegues, Campbell, Malone, Sandusky, Cates, Kinsey, Sonnier, Glass, Kennedy, Callahan, Warren, Teague, Lockett, Clark, Plaster, Howard, Gregg, Jolly, Harrison, Armstrong, Boles, Biddle and Morris:

H. 1208. Relating to individual income taxation; providing further for deductions from gross income for state income tax purposes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1208. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Callahan:

H. 1895. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

Also:

By Messrs. Sonnier, Cooper, Sandusky and LeFlore:

H. 1897. Relating to counties with a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census, to exempt the governing body of counties to which this act applies and the governing body of municipalities located within counties to which this act applies from the lease tax levied by Act No. 96 First Special Session 1971 (Acts 1971, p. 166).

Also:

By Mr. Sonnier:

H. 1761. To amend further Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, p. 326), as amended, which fixes the membership of the Board of Policemen's and Fire Fighters' Pensions of the City of Mobile, so as to provide for election of certain members of such board, to amend Sections 14 and 15 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, p. 326), as amended which provide for the

retirement of members or former members of the Mobile Police and Fire Departments, so as to provide that except in the case of a merit raise, no member's salary shall be raised within six (6) months before retirement.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MOBILE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, p. 326), as amended, which fixes the membership of the Board of Policemen's and Fire Fighters' Pensions of the City of Mobile, so as to provide for election of certain members of such board, to amend Sections 14 and 15 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, p. 326), as amended which provide for the retirement of members or former members of the Mobile Police and Fire Departments, so as to provide that except in the case of a merit raise, no member's salary shall be raised within six (6) months before retirement.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 243, H. 278, First Special Session 1964 (Acts 1964, p. 326), as amended, is further amended to read as follows.

"Section 9. (a) The board, created by the Board of Commissioners or other governing body of the City of Mobile to carry out the provisions of this Act, hereinafter referred to as 'the board' shall be designated 'The Board of Policemen's and Fire Fighters' Pensions of the City of Mobile': The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile, over the age of twenty-one, who do not hold any salaried office with the City or County of Mobile; one active member of the Mobile Police Department, to be elected by the active members of the Mobile Police Department who hold membership in the Mobile Police and Firefighters Pension and Retirement Fund, and one active member of the Mobile Fire Department, to be elected by the active members of the Mobile Fire Department who hold membership in such fund shall also serve as members of the Board; such elections shall be by secret ballot under the supervision of the City Clerk, City of Mobile. Members of the Board shall hold office for terms of six years and until their successors are either appointed or elected as the case may be; however, any member may be removed at any time for good cause by the said Board of Commissioners or other governing body of the City of Mobile. No member of the Board shall receive any compensation for serving as a member thereof.

"(b) The board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Five members of the Board shall constitute a quorum for transaction of business.

“(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

“(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

“(e) The Board of Pensions as a group or the individual members thereof shall provide bond in such overall amount or such individual amounts as the Board in its sole discretion shall deem adequate, but which in the aggregate shall total no less than \$150,000, conditioned upon faithful performance of its, or their duties; the premium of such bond or bonds, to be paid by the City of Mobile from the General Fund.

“(f) All applications for pensions and relief under this Act shall be heard the determined by the Board of Pensions.

“(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term; except that any vacancy caused by the death, retirement, resignation, incapacity, or removal of a Board Member elected from the membership of either the Mobile Police Department or Mobile Fire Department shall be filled by a special election participated in by the active members of the department affected by such vacancy, who hold membership in the Mobile Police and Firefighters Pension and Relief Fund. Voting shall be conducted by secret ballot under the supervision of the City Clerk, City of Mobile.

Section 2. Section 14 of Act No. 243 H. 278, First Special Session 1964 (Acts 1964, p. 326), is amended to read as follows:

“Section 14. (a) Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and, upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement, provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

“(b) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment of such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-two and one-half per cent of the monthly compensation received by

such member as salary in such police or fire department at the time of his retirement.

“(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof, shall without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member monthly from such fund, a sum equal to fifty-five per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.

“(d) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty-five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions thereof shall, without medical examination or disability, be retired from service of such police or fire department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such police or fire department at the time of his retirement.”

Section 3. Section 15 of Act No. 243 H. 278, First Special Session 1964 (Acts 1964, p. 326), is amended to read as follows.

“Section 15. Except in case of a merit raise, no member's salary shall be raised or increased within six (6) months before retirement, unless said increase would be effective for all members of the Fund; provided, however, that any member may be retired at the highest rank held during his tenure of service.”

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joyce Butt being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 24, 31, Aug. 7, 14.

JOYCE BUTT.

Sworn to and subscribed before me this 2 day of Sept. 1975.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Sonnier:

H. 1721. Relating to Mobile County; providing for the compensation of the president of the Mobile County Law Enforcement Association and the president of the Mobile Firefighters Association local No. 1349 while such presidents are engaged in certain association business.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County; providing for the compensation of the president of the Mobile County Law Enforcement Association and the president of the Mobile Firefighters Association local 1349 while such presidents are engaged in certain association business.

Be It Enacted by the Legislature of Alabama:

Section 1. The president of the Mobile County Law Enforcement Association and the president of the Mobile Firefighters Association local 1349 shall receive their normal pay and shall not be docked accumulated leave time by the political subdivision employing them, while attending to legislative matters of interest to their respective association. However, the respective association shall reimburse the political subdivision employing such president the amount which the respective subdivision has paid the president while such president was attending to legislative matters of interest to the association.

Section 2. All laws or parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joyce Butt being sworn, says that she is Bookkeeper of The Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 24, 31, Aug. 7, 14.

JOYCE BUTT.

Sworn to and subscribed before me this 2 day of Sept. 1975.

GARY L. RICHARDSON,
Notary Public.

Also:

By Mr. Kennedy:

H. 1242. To change the governing body of Mobile County from the present three (3) member commission from to a five (5) member commission form with the members to be elected from separate districts and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the governing body of Mobile County from the present three (3) member commission form to a five (5) member commission form with the members to be elected from separate districts and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Commission of Mobile County shall consist of five (5) members, who shall be elected from separate house districts, as follows:

a. County Commission District 1 shall include that part of Mobile County that is included in House Districts 95 and 96 and all of House District 97.

b. County Commission District 2 shall include all of House Districts 98 and 99.

c. County Commission District 3 shall include all of House Districts 100 and 101.

d. County Commission District 4 shall include all of House Districts 102 and 103.

e. County Commission District 5 shall include all of House Districts 104 and 105.

f. The winning candidate who receives the greatest number of votes shall be designated the chairman of the county commission of Mobile County.

Section 2. The commissioners as provided for in Section 1 of this Act shall take office on the first Monday after the second Tuesday in January, 1977. The present three (3) member commission shall remain as the governing body of Mobile County until the First Monday after the second Tuesday in January, 1977. The members of the new five (5) member commission shall be elected at the general election in 1976 and every four (4) years thereafter. Each member shall be a bona fide resident of the district which he represents and shall have been a bona fide resident of the district for at least one (1) year prior to taking office.

Section 3. All laws or parts of laws which conflict with this Act are repealed. The provisions of Act No. 181, H. 117, Regular Session 1957 (Acts 1957, 233) as amended, which conflict with the provisions of this act are superseded by this act.

Section 4. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Linda Woods, Office manager, who,

being by me first duly sworn, deposes and says that during the times herein mentioned he was Office manager of the Mobile Beacon, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-14-75, 6-21-75, 6-28-75, and 7-5-75, all in the year 1975.

LINDA WOODS.

Sworn to and subscribed before me July 5, 1975.

LANCIE M. THOMAS,
Notary Public.

Also:

By Mr. Kennedy:

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

Be It Enacted by the Legislature of Alabama:

Section 1. The Mobile County Board of School Commissioners shall consist of five members, who shall be elected by the qualified electors of the county. They shall be persons of good moral character, with at least a fair elementary education, of good standing in their respective communities, and known for their honesty, business ability, public spirit and interest in the good of public education.

Section 2. The five members shall be elected from districts made up of House districts or portions thereof located within Mobile County, as follows: The member from school commissioner district 1 to be elected from House district 97 and those parts of 95 and 96 which lie within Mobile County; school commissioner district 2 from House districts 98 and 99; school commissioner district 3 from House districts 100 and 101; school

commissioner district 4 from House districts 102 and 103; and school commissioner district 5 from House districts 104 and 105.

Section 3. It shall be a prerequisite to candidacy that prospective members reside in the district which they represent for at least one year prior to taking office.

Section 4. Members for places 1, 2 and 3 shall be elected at the general election of November 1976 and shall take office on the first Tuesday in January, 1977, at which time the former Board of School Commissioners shall be abolished.

Section 5. Places 4 and 5 shall be elected in the general election of 1978, and the commissioners so elected shall take office the first Tuesday in January, 1979, as members of the new board herein created.

Section 6. Members of the present board whose terms expire in 1979 shall serve out their terms as members of the new board.

Section 7. All laws or parts of laws which conflict with this act are hereby repealed.

Section 8. The provisions of this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Linda Woods, Office manager, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office manager of the Mobile Beacon, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-14-75, 6-21-75, 6-28-75, and 7-5-75, all in the year 1975.

LINDA WOODS.

Sworn to and subscribed before me July 5, 1975.

LANCIE M. THOMAS,
Notary Public.

Also:

By Messrs. Boles, Hall, Biddle, Andrews, Moore (O), Hilliard, Hopping, Trammell and Armstrong:

H. 801. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and

relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

By Mr. Ford:

H. 1878. Relating to counties having a population of not less than 90,000 nor more than 100,000 inhabitants according to the most recent federal decennial census, providing that the health departments of such counties shall be funded at the same time as other county agencies are funded.

Also:

By Mr. McNees:

H. 1909. Amending Act No. 791, H. 979, 1971 third Special Session of the Legislature (Acts 1971, Vol. II, p. 1525) to increase the compensation for the secretary to the district attorney of the twenty-fourth judicial circuit, and to provide for proportional payments by the counties constituting said circuit.

Also:

By Mr. Brindley:

H. 1882. To repeal Act No. 113, H. 552, approved, July 18, 1973, Regular Session 1973 (Acts of Alabama 1973, p. 145) entitled, "An Act relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiners of public accounts annually."

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF BLOUNT**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To repeal Act No. 113, H. 552, approved, July 18, 1973, Regular Session 1973 (Acts of Alabama 1973, p. 145) entitled, "An Act relating to Blount County; to provide that all hospitals receiving state or county

funds shall publish an annual financial statement and shall have their books audited by the state examiners of public accounts annually."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 113, H. 551, approved July 18, 1973, Regular Session 1973 (Acts of Alabama 1973, p. 145) entitled, "An Act relating to Blount County; to provide that all hospitals receiving state or county funds shall publish an annual financial statement and shall have their books audited by the state examiners of public accounts annually," is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT.

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 21, August 28, September 4, and September 11, all in the year 1975.

MRS. R. M. HOWARD.

Sworn to and subscribed before me September 11, 1975.

JANE HILL,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1895, 1897, 1761, 1721, 1242, 1243, 1878, 1909 and 1882. To the Committee on Local Legislation No. 1.

H. B. 801. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Moore (O), Waggoner and Smith (C):

H. 1892. To provide for the compensation of bailiffs for the grand jury and for bailiffs serving in courts in Shelby County.

With notice and proof thereto attached and herewith exhibited as follows:

BAILIFF BILL

LEGAL NOTICE

Notice is hereby given of intention to apply at the present session of the legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the following:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for the compensation of bailiffs for the grand jury and for bailiffs serving in courts in Shelby County.

Be It Enacted by the Legislature of Alabama:

Section 1. Bailiffs for the grand jury and bailiffs serving in any court in Shelby County who are not regularly employed as bailiffs, may receive not more than \$15.00 per day for each day of service, the compensation to be upon the recommendation of the presiding judge, and the approval of the governing body of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

**STATE OF ALABAMA
SHELBY COUNTY**

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the Shelby County Reporter a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 31, Aug. 7, 14, 21, 1975.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn before me this 22 day of Aug, 1975.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Messrs. Manley and Pegues:

H. 1894. Relating to Marengo County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of said county; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local

competitive bid law and to authorize the county commission to pay the salaries of the clerical and secretarial employees that may be hired from time to time to staff the offices of such officials.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of said county; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and to authorize the county commission to pay the salaries of the clerical and secretarial employees that may be hired from time to time to staff the offices of such officials.

Be It Enacted by the Legislature of Alabama:

Section 1. The county commission of Marengo County is hereby authorized to enter into contract for the purchase, lease or contractual services for providing data processing, computerized services or other modern or updated electronic based systems for bookkeeping, recording, indexing and filing of all documents, instruments and writings that are of record in the office of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of said county. Said commission may provide for the microfilming of all records, documents, files, papers of other writings which are required by law to be recorded in the office of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register and for such projective and reading equipment as may be necessary. Such microfilms or prints therefrom when duly authenticated by the said probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register, as the case may be, shall have the same force and effect at law as the original record or of copies thereof when made by any other legally authorized means, and may be offered in like manner, and shall be received in evidence in any court where such original record or copy thereof made by other legally authorized means, could have been received in court.

Section 2. The county commission shall provide for the services, equipment and supplies necessary to implement the provisions of Section 1 of this act by either lease or outright purchase or by contractual services, whichever in the discretion of the county commission is deemed to be in the best interest of the county. The respective officeholder of the department which is to receive the new services and equipment shall make recommendation to the County Commission as to the type of services and equipment to be installed and utilized, but the final decision on such

purchases shall rest with the County Commission. Because of the specialized nature of such services, all contracts therefor may be made without regard to any applicable statewide or local competitive bid law.

Section 3. The county commission is hereby authorized to pay the salaries of the clerical and secretarial employees that may be hired from time to time to staff the offices of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of the county.

Section 4. All funds necessary and incidental for the implementation of this act shall be paid out of the general fund of Marengo County.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Sutton, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the White Bluff Chronicle, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 7th, August 14th, August 21st, and August 28th, all in the year 1975.

ROBERT E. SUTTON, JR.

Sworn to and subscribed before me September 15, 1975.

LOU W. PEPPENHORST,
Notary Public, State of Alabama at Large.

Also:

By Mr. McCulley:

H. 1898. Proposing an amendment to the constitution of Alabama relating to placing the probate judge, the tax assessor, the tax collector, and the circuit clerk of Washington County on a salary basis of compensation.

Also:

By Messrs. Crowe and Naramore:

H. 1901. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and

generally to promote the health and welfare of the inhabitants of such counties.

Also:

By Messrs. Crowe and Sparks:

H. 1902. To amend the title and Section 1 of Act No. 115, H. 71, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation of members of the county board of education of certain counties classified on a population basis.

Also:

By Messrs. Crowe and Naramore:

H. 1903. To authorize the creation of the office of commissioner of licenses of Walker County; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the creation of the office of commissioner of licenses of Walker County; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Be It Enacted by the Legislature of Alabama:

Section 1. (a). The county commission or other like governing body of Walker County is hereby authorized to create and establish the office of Commissioner of Licenses for said county, pursuant to the provisions of this Act. The commissioner of licenses shall be an officer of the county appointed by the county. The commissioner of licenses shall be subject to the general supervision of the county governing body, but such officer shall hold office subject to the provisions of the civil service or merit system of the county. The annual salary of such commissioner shall be one thousand (\$1,000) less than the annual salary of the tax assessor or of the tax collector.

(b) Upon the creation of the office of commissioner of licenses, all duties required by law of probate judges in this state with reference to the issuance of and collection of state, county, and other licenses shall be performed by the commissioner of licenses, and the commissioner of licenses shall be entitled to collect all fees, commissions, charges and allowances fixed by law for probate judges respecting the issuance and collection of licenses and shall be liable to all the pains and penalties with reference to the collection of such licenses imposed on the probate judges in this state. At the time the office of Commissioner of Licenses is established, the probate judge and the license inspector of Walker County shall be relieved from any and all duties now imposed by law for the collection of licenses in the county and all such duties, liabilities and responsibilities shall be vested in the license commissioner.

Section 2. Before entering upon the duties of his office the commissioner of licenses shall take the oath of office prescribed by the Constitution, and enter into bond in such sum as may be fixed by the county commission or like governing body of the county, given as surety thereon a bonding company authorized to do business in this state. The Bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate of the county.

Section 3. Suitable office space and all stationery, equipment and supplies necessary for the conduct of said office shall be furnished by the county commission or like governing body of the county to the commissioner of licenses except such stationery and supplies as the law now requires to be furnished by the state department of revenue or the state department of finance or the comptroller.

Section 4. The commissioner of licenses herein provided for shall appoint a deputy commissioner of licenses who shall, in his absence, have the power and authority herein granted to the commissioner of licenses. The commissioner of licenses shall also appoint a chief clerk and a sufficient number of clerks and assistants to properly perform the duties of his office; however, all such appointments shall be made in strict conformity with the provisions of the civil service or merit system law of the county, and the commissioner of licenses shall be deemed to be the appointing authority within the meaning of any civil service or merit system law. The salary of the chief clerk shall be the same as the salary of the chief clerk of other county officers performing the same or similar duties.

Section 5. It shall be the duty of the commissioner of licenses to collect and issue all licenses for exercising any rights or privileges for which a license is required, hunting licenses, driver's licenses, licenses for motor vehicles, and any and all other licenses which are now or which may hereafter be required by law to be paid to the State of Alabama or the counties thereof.

Section 6. Before any person, firm, or corporation shall engage in or carry on any business or do any act in the county for which a license is required by law, he, they, or it, except as otherwise provided, shall pay to the commissioner of licenses the amount required for such licenses, and shall comply with all the other requirements of this act; and upon the payment of such amount and a fee of fifty cents to the commissioner of licenses for the issuance of such license, and all costs and fees and penalties which shall have accrued, or for which such person, firm, or corporation shall have become liable in any proceedings commenced for the collection of such license or to enforce payment thereof, and upon compliance with other provisions of this act by the applicant, such commissioner of licenses shall issue the license counter-signed by him, in the form and on the blank to be furnished to him by the state comptroller, which shall set forth and specify the name of the person, firm, or corporation, applying therefor, the business or act which it is proposed to carry on or do thereunder, the name of the street or location where it is reported to carry on the same, if such location shall be in a city or town and have a street number, and if not, then the location and amount paid for such license, and the time for which it is issued; and if the license is for a peddler it shall state whether he proposes to travel on foot or on horseback or on wagon or motor vehicle; and such license shall not be transferable, nor shall it entitle the holder thereof to carry on any other business or do any other act than that named therein, nor at any other location than that therein specified. Provided, that in case that it should become necessary to remove any business for which a license is required by this section, from one location to another location in the same city or town, and such business be continued as the same kind and character and by the same person or firm as that carried on at the former location, another license shall not be required for such business for the same license year.

Section 7. In all cases where the amount to be paid for license depends upon the amount of capital invested or the value of the goods of stock, or the amount of sales, or receipts, or any other fact or condition hereinbefore recited, it shall be the duty of the person applying for such license to render to the commissioner of licenses a sworn statement of the amount of the capital invested, of the value of the goods or stock, or of the amount of sales or receipts, and to make under oath such further proof or affidavit as may be required by the commissioner of licenses to determine the character of the license, and the amount to be paid for the same.

Section 8. Upon the issuance of any license the commissioner of licenses must before detaching the license from the stub, fill up the blank spaces in the stub to correspond in all respects, with the licenses as issued, and sign his name thereto.

Section 9. The commissioner of licenses shall keep in a book prepared for that purpose an accurate account of all licenses received by him from the comptroller, and of the disposition made of them, and of all money received from licenses issued by him, and make receipt thereof to the comptroller within ten days after the expiration of the fiscal year, at which time he shall return to the comptroller all unused licenses, and shall also return to the comptroller the stubs of all licenses issued by him and the commissioner of licenses shall on demand of the comptroller, at any time, exhibit to him or any agent appointed by the comptroller for that purpose, such license record and the original of all licenses then remaining in his hands, and all stubs of licenses issued.

Section 10. All fees prescribed under the general law for the performance of duties required under the terms of this act to be performed by the commissioner of licenses shall be paid to or collected by the commissioner of licenses and by said commissioner paid to the treasurer of the county or to the official performing the duties of county treasurer, and all of said fees shall be the property of the county.

Section 11. If any person through a mistake or error on the part of the commissioner of licenses has paid to the commissioner of licenses money that was not due from him for such license, or by such mistake has paid to the commissioner of licenses for such license an amount in excess of that required by law for the business to be carried on by such person under the license, such person shall be entitled to have refunded to him the amount in either event so erroneously collected by the commissioner of licenses; provided, no refund shall be made unless application therefor is made within two years from date of payment.

Section 12. On the application of any such person his executor, administrator, or assignee, the commissioner of licenses shall proceed to ascertain the amount due such applicant under the provisions of the preceding section, and shall grant such certificate as will enable the comptroller and the county governing body to draw his warrant or their order, respectively, and such warrant or order shall be paid out of any monies in the state treasury, or the county treasury, not otherwise appropriated.

Section 13. To prevent motor vehicles from escaping taxation and to provide for the more efficient assessment and collection of taxes due on same, no license shall be issued to operate a motor vehicle on the public highways of this state, nor shall any transfer be made by the commissioner of licenses as provided under this act, until the ad valorem tax on such vehicle shall have been paid in the county for the preceding year, as evidenced by a receipt of the commissioner of licenses, if said motor vehicle belongs to a resident of such county or is principally used or operated in such county. Every person, firm or corporation residing in or owning a motor vehicle which is principally used in such county who desires to operate a motor vehicle on the public highways of Alabama shall first return such motor vehicle for ad valorem taxation to the commissioner of licenses of such county, for the preceding tax year, and commissioner of licenses of such county shall deliver to such person who makes the return as herein required, a certificate of assessment on a form prescribed by the department of revenue, and such certificate shall be the warrant of the commissioner of licenses to collect the tax as shown thereon. Motor vehicles within the meaning of this act shall not be included in any assessment made to the tax assessor by any person, firm or corporation, and such motor vehicles shall not be considered as escaped property by reason of failure to include same in any tax return, but shall be assessed as herein provided. The commissioner of licenses upon issuing a license for the operator of motor vehicles as herein provided shall make a duplicate of the tax receipt and keep same on file in his office. The license tag shall be evidence of the payment of the license and ad valorem tax due as provided under this act. Valuation for ad valorem assessment shall be not more than thirty per cent of the fair and reasonable value of same. A motor vehicle brought into the state during any tax year or new motor vehicles for which licenses have never been issued, sold from the stock of a dealer during any tax year shall be subject to taxation the same as if it had been held or owned in the state on the first day of October, except that taxes thereon shall be assessed on a quarterly declining basis. Every motor vehicle shall

be presumed to have been in Alabama during the taxable year and taxes thereon shall be assessed unless the person, firm, or corporation applying for exemption from ad valorem taxation furnish the commissioner of licenses with a certificate showing that such vehicle was registered in another state after the preceding October, such certificate to be signed by the proper official of such state and also an affidavit signed by the person, or in the case of a firm, association, or corporation its authorized agent, claiming the exemption, stating the exact date the car came into Alabama; provided, however, that where application is made for exemption from taxation on a new motor vehicle for which there has never been a tag purchased, a bona fide bill of sale showing the date of purchase, shall be sufficient proof for exemption by the commissioner of licenses provided the date of purchase, the name and address of the dealer and the invoice number is shown on the assessment sheet. The state department of revenue shall furnish the commissioner of licenses with blank certificates for claiming exemptions authorized in this section. The commissioner of licenses is authorized to issue a motor vehicle license for any vehicle for which an exemption from taxation has been claimed as authorized above, and for any vehicle which is not subject to taxation. The commissioner of licenses, in addition to assessing and collecting the ad valorem taxes due the state and county on motor vehicles, shall collect the ad valorem taxes on motor vehicles due all cities and towns located in the county. The commissioner of licenses shall report and pay over the money collected for said cities and towns at the same time and in the same manner as state and county taxes are reported and paid over by him.

The commissioner of licenses shall receive a commission of two and one-half per cent for collecting city and town ad valorem taxes and shall deduct said commissions from the amount collected before paying the same over to the city or town and he shall pay said commissions into the county treasury, and said commissions so collected and paid into the county treasury, shall not issue a license to operate a motor vehicle on the highways of this state until all ad valorem taxes due the state, such county, and any city or town in such county are paid for the preceding year. Nothing herein shall be construed as affecting the assessment of the stock of goods, wares and merchandise of motor vehicle dealers, or the inclusion of motor vehicles or capital invested therein making such assessments; nor shall the provisions hereof be construed as imposing an ad valorem tax upon a motor vehicle for the tax year in which application for such motor vehicle license is made, unless such motor vehicle was subject to such assessment, otherwise than as constituting a part of the stock of goods, wares and merchandise of a dealer.

Section 14. The commissioner of licenses is hereby empowered to make such rules and regulations as are necessary to provide for a mail out system for purchasing automobile tags and is empowered to charge any person desiring such service the cost of postage on mailing such tags plus a handling fee which shall not exceed 50 cents.

Section 15. The state comptroller is hereby required to furnish to such license commissioner all books, records, and blanks, now or hereafter required by law to be furnished to the probate judge of the state in connection with the performance of their duties in the issuance or collection of licenses or privilege taxes.

Section 16. All duties required by law of tax assessors and tax collectors with reference to the assessment and collection of ad valorem taxes on automobiles, trucks, or other motor vehicles shall be performed

and exercised by the commissioner of licenses, and the tax assessor and tax collector of the county are hereby relieved of all duties and responsibilities in reference thereto.

Section 17. The commissioner of licenses shall receive for the assessing and collecting of state and county ad valorem taxes on motor vehicles the same fees, changes and commissions fixed by law to be paid to tax assessors and tax collectors for the like services and paid into the general fund of the county.

Section 18. After the effective date of this Act, and upon the creation of the office by the county governing body, the commissioner of licenses shall also perform all duties required by the general law of license inspectors. The commissioner of licenses, his deputy commissioner, and such other assistants as are duty authorized thereto by him and shall have authority to serve and execute all citations, writs, and other processes that license inspectors are authorized to execute. No license inspector shall be appointed under authority of Section 835 of Title 51, Code of Alabama 1940, as amended, for any county to which this act applies, and all the duties prescribed by said section shall be performed by the commissioner of licenses or his agents after that date. While performing the duties of license inspector required by this act the commissioner of licenses shall be entitled to receive all the fees, citation fees, costs, penalties, commissions and other charges now or hereafter authorized by law to be collected by license inspectors, and he shall also be entitled to receive all the fees, citation fees, costs, penalties, commissions and other charges now or hereafter authorized by law to be collected by license inspectors, and he shall also be entitled to receive the fifteen per cent penalty now required to be paid by delinquents on taking out licenses, and any other penalties that may hereafter be imposed upon the delinquent license taxpayers and all such monies collected shall be paid into the general fund of the county.

Section 19. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. All laws or parts of laws which conflict with this act are repealed.

Section 21. This act shall become effective September 1, 1975 or at the time of its implementation by act of the county governing body as provided herein.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 25, Sept. 1, Sept. 8, and Sept. 15, all in the year 1975.

H. S. PRINCE, JR.

Sworn to and subscribed before me September 15, 1975.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Messrs. Naramore and Crowe:

H. 1905. To amend Section 13 and 14 (a) of Act No. 113, H. 69, First Special Session, 1965, an act providing a civil service system for the City of Jasper, in relation to the number of days an employee can be suspended without right of hearing; and permitting any citizen to file charges.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 13 and 14(a) of Act No. 113, H. 69 First Special Session 1965, an act providing a civil service system for the City of Jasper, in relation to the number of days an employee can be suspended without right of hearing; and permitting any citizen to file charges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 13 of Act No. 113, H. 69, First Special Session 1965, an act providing a civil service system for the City of Jasper (Acts Special Session 1965, p. 162) is hereby amended to read as follows:

"Section 13. An appointing authority shall have authority to suspend an employee for any personal misconduct, or fact, affecting or concerning his fitness or ability to perform his duties in the public interest. In the event an employee is suspended for more than five working days, he shall be entitled to a public hearing by the Board upon written demand filed within five days from the date of the order of suspension. If, after hearing, the Board determines that the action of the appointing authority was not with cause, the suspension shall be revoked."

Section 2. Section 14(a) of Act No. 113, H. 69, First Special Session 1965, an act providing a civil service system for the City of Jasper (Acts Special 1965, p. 162) is hereby amended to read as follows:

"Section 14. (a) The governing body of the city, any member of the governing body, or the head of any department or office can remove, discharge, or demote any employee, officer or official of the city who is subject to the provisions of this act and who is directly under such governing body, member thereof, or department head, provided that within five days a report in writing of such action is made to the Board, giving the reason for such removal, discharge, or demotion. The employee shall have ten days from the time of notification of his discharge, removal,

or demotion in which to appeal to the Board. The Board shall thereupon order the charges or complaint to be filed forthwith in writing and shall hold a hearing de novo on such charges. No permanent employee, officer, or official of the city whose employment comes within the jurisdiction of this Act, and whose probationary period has been served, shall be removed, discharged, or demoted except for some personal misconduct, or fact, rendering his further tenure harmful to the public interest or for some cause affecting or concerning his fitness or ability; and if such removal, discharge or demotion is appealed to the Board, then the same will become final only after a hearing upon written charges or complaint has been had and after an opportunity has been given him to face his accusers and be heard in his own defense. Pending a hearing on said appeal, the affected employee may be suspended; and after such hearing the Board may order said employee reinstated, demoted, removed, discharged, or suspended, or take such other disciplinary action as in their judgment is warranted by the evidence and under the law. Charges may be filed by any United States citizen as follows: the charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before any member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the Board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such charges may be dismissed by the Board. If in the judgment of the Board such charges are of a minor nature, such charges may be referred by the Board to the proper department head who shall make an investigation of the charges and make his recommendation to the Board within such time as the Board may prescribe, as to what disciplinary action, if any, should be taken. After such recommendation is made by the department head and after due notice is given to the affected employee of the receipts of such recommendation and the contents thereof, the Board may, in its discretion, adopt and order executed the action recommended by the department head or any part thereof. However, if the complainant or the affected employee, or both of them, objects to the recommendation of the department head, the Board shall hold a public hearing de novo on the charges, and take such disciplinary action as in their judgment is warranted by the evidence and under the law. All hearings before the Board shall be open to the public. All testimony given in all hearings before the Board shall be taken down in shorthand by a stenographer. In all cases, the decision of the Board shall be reduced to writing and entered in the record of the case. In all proceedings before the Board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by a private citizen. In all proceedings before the Board, the city attorney may appear and represent the interests of the city, and he shall also give such legal advice and legal assistance to the Board as may be requested by it.

The Board and its specially authorized representatives shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearings, investigation, or proceeding within the purview of this Act. The chief of police or some other police officer of the city shall serve all processes of the Board, and shall attend upon and preserve order at all public hearings conducted by the Board. In case a person refuses to obey such subpoena, the Board or its representative may invoke the aid of any circuit court in order that the

testimony or evidence be produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representative and produce all evidence and give all testimony relating to the matter in issue. A person who fails to obey such subpoena order may be punished by the court as for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this state, which fees shall be paid from the treasury of the city."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 13, Aug. 20, Aug. 27, and Sept. 3, all in the year 1975.

H. S. PRINCE, JR.

Sworn to and subscribed before me September 15, 1975.

R. W. BOTELER, Jr.,
Notary Public.

Also:

By Messrs. Crowe and Naramore:

H. 1906. To amend Sections 2 and 3 of Act No. 1067, S. 938, Regular Session of 1973 (Acts 1973, p. 1802) which act provides for a county commission in all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census so as to provide further for the election of the members of said commission and to provide further for the meetings of said commission.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 2 and 3 of Act No. 1067, S. 938, Regular Session of 1973 (Acts 1973, p. 1802) which act provides for a county commission in all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census so as to provide further for the election of the members of said commission and to provide further for the meetings of said commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 2 and 3 of Act No. 1067, S. 938, Regular Session of 1973 (Acts 1973, p. 1802) are hereby amended to read as follows:

"Section 2. After this act takes effect the governing body of Walker County shall be Walker County Commission, and shall consist of a president and four associate members, all of whom shall be qualified electors of Walker County. The president shall be nominated and elected by the qualified electors of the county at large. However, the associate members shall each be nominated and elected by the qualified electors of their respective districts. Each associate member shall at the time of his election and during his continuance in office, be a resident and qualified elector of the district for which he is elected. Walker County is hereby divided into four districts as follows: District No. 1 shall be composed of the following territory:

Begin at the Northwest corner of Section 19, Township 12 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of the Northwest $\frac{1}{4}$ of Section 6, Township 14 South, Range 8 West;

Thence, Easterly along the South line of the Northwest $\frac{1}{4}$ and the South line of the Northeast $\frac{1}{4}$ of Section 6 to its intersection with the East line of said section;

Thence, Southerly along the section lines to the Southwest corner of Section 8, Township 14 South, Range 8 West;

Thence, easterly along the section lines to the intersection of the South line of Section 7, Township 14 South, Range 7 West with the West corporate limits of the City of Jasper, Alabama;

Thence, Northerly along said corporate limits to its intersection with the North corporate limits of the City of Jasper;

Thence, Easterly along said corporate limits to its intersection with a Northerly extension of the Southwest fork of the main channel of Town Creek;

Thence, generally Southerly, Southeasterly and Southerly, following the meanderings of the Southwest fork and of the main channel of Town Creek to its intersection with the center line of Wright Street;

Thence, Westerly along the center line of Wright Street to its intersection with the center line of Third Avenue;

Thence, Northerly along the center line of Third Avenue to its intersection with the center line of Park Avenue;

Thence, Westerly along the center line of Park Avenue to its intersection with the center line of Fourth Avenue;

Thence, Northerly along the center line of Fourth Avenue to its intersection with the center line of Sixth Street;

Thence, Westerly along the center line of Sixth Street to its intersection with the center line of Ninth Avenue;

Thence, Southerly along the center line of Ninth Avenue to its intersection with the center line of the right-of-way of the Southern Railroad;

Thence, Southeasterly and Southerly along the center line of the right-of-way of the Southern Railroad to its intersection with the South corporate limits of the City of Jasper at a point in Section 21, Township 14 South, Range 7 West;

Thence, Easterly along said corporate limits to its intersection with the East corporate limits of the City of Jasper.

Thence, Northerly along said corporate limits to its intersection with the South line of Section 12, Township 14 South, Range 7 West;

Thence, Easterly along the South line of said Section 12 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Northeast corner of Section 13, Township 13 South, Range 7 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 8, Township 13 South, Range 5 West with the boundary between Walker County, Alabama and Cullman County, Alabama;

Thence, generally Northwesterly along said boundary to its intersection with the boundary between Walker County, Alabama and Winston County, Alabama;

Thence, generally Northwesterly and Westerly along the boundary between Walker and Winston Counties to the Northwest corner of Section 19, Township 12 South, Range 8 West, which is the point of beginning.

District No. 2 shall be composed of the following territory:

Begin at the Northwest corner of Section 19, Township 12 South, Range 10 West on the boundary between Walker County, Alabama and Marion County, Alabama;

Thence, Southerly along said boundary to its intersection with the boundary between Walker County, Alabama, and Fayette County, Alabama at the Southwest corner of Section 18, Township 13 South, Range 10 West;

Thence, Southerly along the boundary between Walker and Fayette Counties to the Southwest corner of Section 31, Township 13 South, Range 10 West;

Thence, Easterly along said boundary to the Northwest corner of Section 6, Township 14 South, Range 9 West;

Thence, Southerly along said boundary to the Southwest corner of Section 31, Township 15 South, Range 9 West;

Thence, Easterly along said boundary to the Southeast corner of Section 36, Township 15 South, Range 9 West;

Thence, Northerly along the section lines to the Southwest corner of Section 19, Township 15 South, Range 8 West;

Thence, Easterly along the South line of said Section 19 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Northwest corner of the Southwest $\frac{1}{4}$ of Section 8, Township 15 South, Range 8 West;

Thence, Easterly along the half section line to intersect with the main channel of Lost Creek at a point on the half section line in Section 10, Township 15 South, Range 8 West;

Thence, Northerly and Northeasterly along the main channel of Lost Creek to its intersection with the South line of Section 2, Township 15 South, Range 8 West;

Thence, Easterly along the South line of said Section 2 to the Southeast corner thereof;

Thence, Northerly along the section lines to the Southwest corner of Section 13, Township 14 South, Range 8 West;

Thence, Easterly along the section lines to the intersection of the South line of Section 18, Township 14 South, Range 7 West with the West corporate limits of the City of Jasper at the Southeast corner of said Section 18;

Thence, Southerly along said corporate limits to its intersection with the South corporate limits of the City of Jasper;

Thence, Easterly along said corporate limits to its intersection with the West corporate limits of the City of Jasper at a point which is the Southwest corner of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 14 south, Range 7 West;

Thence, Easterly along the line, between the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section of the Northeast $\frac{1}{4}$ of said Section 20 to its intersection with the East line of said section;

Thence, Easterly along the line between the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 21, Township 14 South, Range 7 West and the line between the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 to its intersection with the South corporate limits of the City of Jasper at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 21.

Thence, Easterly along said corporate limits to its intersection with the center line of the right-of-way of the Southern Railroad;

Thence, Northerly and Northwesterly along the center line of the right-of-way of the Southern Railroad to its intersection with the center line of Ninth Avenue;

Thence, Northerly along the center line of Ninth Avenue to its intersection with the center line of Sixth Street;

Thence, Easterly along the center line of Sixth Street to its intersection with the center line of Fourth Avenue;

Thence, Southerly along the center line of Fourth Avenue to its intersection with the center line of Park Avenue;

Thence, Easterly along the center line of Park Avenue to its intersection with the center line of Third Avenue;

Thence, Southerly along the center line of Third Avenue to its intersection with the center line of Wright Street;

Thence, Easterly along the center line of Wright Street to its intersection with the main channel of Town Creek;

Thence, generally Northerly and Northwesterly, following the meanderings of the main channel and the West fork of the main channel of Town Creek and its Northerly extension to its intersection with the North corporate limits of the City of Jasper;

Thence, Westerly along said North corporate limits to its intersection with the West corporate limits of the City of Jasper;

Thence, Southerly along said West corporate limits to its intersection with the Northeast corner of Section 18, Township 14 South, Range 7 West;

Thence, Westerly along the section lines to the Northwest corner of Section 17, Township 14 South, Range 8 West;

Thence, Northerly along the section lines to the Northeast of the Southeast $\frac{1}{4}$ of Section 6, Township 14 South, Range 8 West;

Thence, Westerly along the North line of the Southeast $\frac{1}{4}$ and the North line of the Southwest $\frac{1}{4}$ of said Section 6 to its intersection with the West line of said Section 6, Township 14 South, Range 8 West;

Thence, Northerly along the section lines to the Northeast corner of Section 24, Township 12 South, Range 9 West on the boundary between Walker County, Alabama and Winston County, Alabama;

Thence, Westerly along said boundary between Walker and Winston Counties to the Northwest corner of Section 19, Township 12 South, Range 10 West on the boundary between Walker and Marion Counties, which is the point of beginning.

District No. 3 shall be composed of the following territory:

Begin at the Northwest corner of Section 24, Township 14 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of Section 1, Township 15 South, Range 8 West;

Thence, Westerly along the North line of Section 11, Township 15 South, Range 8 West to its intersection with the main channel of Lost Creek;

Thence, Southwesterly and Southerly along the main channel of Lost Creek to its intersection with the line between the North $\frac{1}{2}$ and the South $\frac{1}{2}$ of Section 10, Township 15 South, Range 8 West;

Thence, Westerly along the half section lines to the Northwest corner of the Southwest $\frac{1}{4}$ of Section 8, Township 15 South, Range 8 West;

Thence, Southerly along the section lines to the Southwest corner of Section 20, Township 15 South, Range 8 West;

Thence, Westerly along the North line of Section 30, Township 15 South, Range 8 West to the Northwest corner thereof;

Thence, Southerly along the section lines to intersect the boundary between Walker County, Alabama and Fayette County, Alabama at the Northwest corner of Section 6, Township 16 South, Range 8 West;

Thence, Southerly along the boundary between Walker and Fayette Counties, to its intersection with the boundary between Walker County, Alabama and Tuscaloosa County, Alabama;

Thence, Easterly along said boundary to the Northwest corner of Section 3, Township 17 South, Range 8 West;

Thence, Southerly along the West line of said Section 3 to the Southwest corner thereof;

Thence, Easterly along the section lines and boundary between Walker and Tuscaloosa Counties to the Northwest corner of Section 7, Township 17 South, Range 7 West;

Thence, Southerly along said boundary to the Southwest corner of Section 31, Township 17 South, Range 7 West;

Thence, Easterly along said boundary to its intersection with the main channel of the Black Warrior River, which is also the boundary between Walker County, Alabama and Jefferson County;

Thence, generally Northeasterly and Northerly, following the meanderings of the main channel of the Black Warrior River, and along said boundary, to its intersection with the main channel of Mulberry Fork on the East line of Section 6, Township 17 South, Range 6 West;

Thence, generally Westerly, Northerly, Northeasterly and Northerly following the meanderings of the main channel of Mulberry Fork to its intersection with the East line of Section 23, Township 14 South, Range 6 West;

Thence Northerly along the East line of said Section 23 and the East line of Section 14, Township 14 South, Range 6 West to the Northeast corner of said Section 14;

Thence, Westerly along the section lines to the intersection of the North line of Section 13, Township 14 South, Range 7 West with the East corporate limits of the City of Jasper;

Thence, Westerly and Southerly along said corporate limits to its intersection with the South corporate limits of the City of Jasper;

Thence, Westerly along said South corporate limits to the Southwest corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 21, Township 14 South, Range 7 West;

Thence, Westerly along the South line of the Northeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 and the South line of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21 to intersect the West line of said

section at the Southwest corner of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of said Section 21;

Thence, Westerly along the South line of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 20, Township 14 South, Range 7 West to intersect the South corporate limits of the City of Jasper at the Southeast corner of the Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 20;

Thence, Westerly along said South corporate limits to its intersection with the West corporate limits of the City of Jasper;

Thence, Northerly along said West corporate limits to its intersection with the Northeast corner of Section 19, Township 14 South, Range 7 West;

Thence, Westerly along the section lines to the Northwest corner of Section 24, Township 14 South, Range 8 West, which is the point of beginning.

District No. 4 shall be composed of the following territory:

Begin at the Northwest corner of Section 18, Township 13 South, Range 6 West;

Thence, Southerly along the section lines to the Southwest corner of Section 7, Township 14 South, Range 6 West;

Thence, Easterly along the section lines to the Southeast corner of Section 11, Township 14 South, Range 6 West;

Thence, Southerly along the West line of Section 13, Township 14 South, Range 6 West and Southerly along the West line of Section 24, Township 14 South, Range 6 West to its intersection with the main channel of Mulberry Rork;

Thence, generally Southerly, Southwesterly, Southerly and Easterly following the meanderings of the main channel of Mulberry Fork to its intersection with the main channel of Black Warrior River on the East line of Section 6, Township 17 South, Range 6 West, which is also the boundary between Walker County, Alabama and Jefferson County, Alabama;

Thence, generally Northeasterly along said boundary between Walker and Jefferson Counties to its intersection with the boundary between Walker County, Alabama and Blount County, Alabama;

Thence, generally Northerly along said boundary between Walker and Blount Counties to its intersection with the boundary between Walker County, Alabama and Cullman County, Alabama;

Thence, generally Northwesterly along said boundary between Walker and Cullman Counties to its intersection with the North line of Section 17, Township 13 South, Range 5 West;

Thence, Westerly along the section lines to the Northwest corner of Section 18, Township 13 South, Range 6 West, which is the point of beginning.

No person other than a resident qualified elector of one of such districts shall be qualified to represent that district on the new governing body of Walker County hereby established. A president and four associate members of the Walker County Commission shall be elected at the general

election in 1976 and every four years thereafter. They shall hold office for four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified."

"Section 3. The governing body of Walker County established by this act shall perform the same functions, exercise the same jurisdiction, authority and powers and perform the same duties prescribed by law for the governing body of Walker County when this act becomes effective, specifically including those duties enumerated in said Act No. 410 of the 1966 Special Session and those specified in Act No. 118 of the 1957 Regular Session, as such acts have been amended or supplemented. The president and associate members of the Walker County Commission, respectively, shall have and exercise the same powers, rights and authority, fulfill the same responsibilities and perform the same duties as those prescribed by law when this act becomes effective for the chairman and associate members of the county governing body of Walker County, including specifically those powers, duties and authority prescribed in said Act No. 410 of the 1966 Special Session and No. 118 of the Regular Session of 1957, as such acts have been amended or supplemented. In addition thereto the commission shall meet every Monday that is not a legal holiday at 9:30 a.m. in the county courthouse and shall hold at least one additional meeting during each quarter of each year at some place in each of the districts into which Walker County is hereinabove divided."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. S. Prince, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 19, Aug. 26, Sept. 2, and Sept. 9, all in the year 1975.

H. S. PRINCE, JR.

Sworn to and subscribed before me September 15, 1975.

R. W. BOTELER, JR.,
Notary Public.

Also:

By Mr. Manley:

H. 1912. Relating to all counties having populations of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein

defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

By Mrs. Quarles:

H. 1914. To create a county planning commission in every county in this state which has a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of the county; to provide for an election in each beat prior to the application of such authority of the commission in each beat; to grant the commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the commission.

Also:

By Messrs. Drake and Sparks:

H. 1916. Relating to Cullman County; to levy an excise and privilege tax on the severance of coal in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the paving of roads in Cullman County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; to levy an excise and privilege tax on the severance of coal in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the paving of roads in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. When used in this act, unless the context plainly indicates otherwise, the following words and phrases shall have the meanings respectively ascribed to them by this section.

(a) "Commissioner" means the commissioner of revenue of the state revenue department.

(b) "Person" means any individual, firm, partnership, corporation, association, or any combination thereof.

(c) "Producer" means any person engaging in the business of severing coal from the soil within Cullman County.

(d) "Purchaser" means any person acquiring title outright or conditionally, to any interest in severed coal.

(e) "Severing" means cutting, mining, stripping or otherwise taking or removing from the soil within Cullman County.

(f) "Ton" means a short ton of 2,000 pounds.

(g) "Transporter" means any person transporting coal from the place where it is severed or from any other place to any other place, within or without Cullman County.

Section 2. Severance tax levied. There is hereby levied, in addition to all other taxes imposed by law, an excise and privilege tax on every person severing coal within Cullman County. The tax shall be paid to the Commissioner by every producer who severs coal within Cullman County at the rate of 20 cents per ton of coal severed.

Section 3. Producer reports and payments. Every producer shall, within twenty (20) days after the end of each calendar month, whether or not he shall have actually severed any coal during that month, file with the commissioner a report which shall set forth, in a form to be prescribed by the commissioner, the amount of coal in tons, if any, severed by such producer during the next preceding calendar month; the point of severance thereof; the amount of tax due; and such other information as the commissioner may reasonably require for the proper enforcement of the provisions of this act. The producer shall accompany such report with payment of the full amount of the tax shown to be due. The report shall be signed by the producer himself in the case of an individual producer, or by a member, officer, or manager of the producer in other cases.

Section 4. Purchaser and transporter reports. Purchasers and transporters of coal severed in Cullman County shall file a report with the commissioner, on forms prescribed by the commissioner, within twenty (20) days after the end of each calendar month in which such purchaser or transporter purchased or transported coal severed in Cullman County. The report shall state the names and addresses of all producers in Cullman County from whom such purchaser or transporter has received coal during such calendar month; the total quantity of coal so acquired; and, in the case of a transporter, to whom and where each ton of coal was delivered; and such other information as the commissioner may reasonably require for the proper enforcement of the provisions of this act. The report shall be signed by the purchaser or transporter himself in the case of an individual purchaser or transporter, or by a member, officer, or manager of the purchaser or transporter in all other cases.

Section 5. The tax imposed by this act shall constitute a debt due Cullman County and may be collected by civil suit, in addition to all other methods provided by law. The said tax, together with interest thereon, shall constitute and be secured by a lien upon the property of any person from whom said tax is due. All provisions of the revenue laws of this state which apply to the enforcement of liens for taxes due the state shall apply fully to the collection of the county tax levied herein, and the state department of revenue for the use and benefit of Cullman County shall

collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state coal severance tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the tax levied by this act, and to otherwise enforce the provisions of the act, including any litigation involving the act; and the department shall pay such special counsel's fee as it deems necessary and proper from the proceeds of the taxes collected by it for Cullman County.

Section 6. The state department of revenue shall charge Cullman County, for collecting the county tax levied herein, such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the county commission, but such charge shall not in any event exceed ten percent of the total amount of tax collected hereunder. Such charge for collecting the tax for the county may be deducted each month from the proceeds of the tax before certifying the amount thereof due Cullman County for that month.

Section 7. The net proceeds of the tax levied pursuant to this act shall be used exclusively for the paving, of county roads in Cullman County; and on or before the tenth day of each month, the state revenue department shall pay over to the state highway department the net proceeds of the tax collected hereunder during the preceding month. Such funds shall be maintained by the state highway department in a separate account and used by such department solely for the purpose of paving, of roads in Cullman County.

Section 8. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are repealed.

Section 10. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 24, July 31, Aug. 7, and Aug. 14, all in the year 1975.

MARC MILLER.

Sworn to and subscribed before me August 14, 1975.

CHARLOTTE MILLER,
Notary Public.

Also:

By Mr. Waggoner:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) is amended to read as follows:

To establish an inferior court in Jefferson County, Alabama; to establish a small claims division within said court; to fix and define the jurisdiction and powers of this newly established Court and the officers thereof; to provide for the election or appointment of the Judges and the number of Judges therein and for their compensation; to provide that the Judges now serving as such in the Civil Court of Jefferson County and the Court of General Sessions of Jefferson County shall be constituted and appointed judges of this newly established Court in the same or similar capacity as said judges now occupy in the Civil Court of Jefferson County; to provide for the election or appointment of other officers of this court, including a clerk, and the tenures of said officers and the duties they shall perform; to provide for the rules of procedure in this court and to fix the method of the issuance and service of all processes therefrom, and to provide for the service of all said processes by the constables, sheriff or other officer of the county in which such processes are to be served or executed; to provide for the transfer of adoption proceedings and for the issuance of writs; to provide for the abolishment of the Jefferson County Civil Court and the Court of General Sessions of Jefferson County; to provide for the transfer of all pending cases and records of the said Jefferson County Civil Court and the Court of General Sessions of Jefferson County to the court created and established by this act; to provide for fees and their levy, taxation and collection in connection with the operation of this newly established court, and to provide for the trial of cases by a judge without a jury; and to provide for said court being a court of record; and to provide for appellate procedure to the circuit court; and to appellate courts and for bonds on appeal; to provide for the regulation of the trials of civil cases in Jefferson County; to make other provisions

incidental to the establishment of said inferior court of record, in lieu of the Jefferson County Civil Court and the Court of General Sessions of Jefferson County.

Section 2. Section 1 of said Act No. 96, H. 490, is amended to read as follows:

"Section 1. Abolishment and transfer. The inferior courts now known as the Jefferson County Civil Court and the Court of General Sessions of Jefferson County are hereby abolished. All cases pending in these two courts shall be transferred to the court created by this act. All judgments of these courts shall continue in effect and this new court shall be vested with jurisdiction to enforce such judgments."

Section 3. Section 2 of said Act No. 96, H. 490, is amended to read as follows:

"Section 2. Establishment. There is hereby established an inferior court in Jefferson County, Alabama which shall be known as the Civil Court of Jefferson County hereinafter referred to as this court. This court shall have concurrent jurisdiction with the Tenth Judicial Circuit Court of Alabama, Birmingham Division, and similar jurisdiction in precinct 53, which may lie outside the present jurisdiction of the said circuit court, in all civil actions in which the matter in controversy does not exceed Five Thousand Dollars (\$5,000.00), except that this court may not exercise jurisdiction over the following matters:

(a) actions seeking equitable relief other than:

(1) equitable questions arising in juvenile cases within the jurisdiction of this court; and

(2) equitable defenses asserted or compulsory counterclaims filed by any part in any civil action within the jurisdiction of this court;

(b) any actions enumerated in Rule 81 of the Alabama Rules of Civil Procedure other than:

(1) actions based in negligence against municipalities;

(2) actions seeking substitution of lost or destroyed records or instruments; or

(3) summary motion proceedings;

(c) actions seeking declaratory judgments; and

(d) appeals from probate or municipal courts.

Section 4. Section 3 of said Act No. 96, H. 490, is deleted and the following is inserted in lieu thereof:

"Section 3. Small claims cases. This court shall exercise exclusive jurisdiction over all civil actions in which the matter in controversy, exclusive of interest and costs, does not exceed Five Hundred Dollars (\$500.00) and over all actions based on unlawful detainer. These actions shall be placed on a small claims docket and shall be processed according to uniform rules of simplified civil procedure as may be promulgated by the Supreme Court."

Section 5. Section 4 of said Act No. 96, H. 490, is deleted and the following is inserted in lieu thereof:

"Section 4. Adoption proceedings, primarily cognizable before the probate courts, may be transferred to this court on motion of a party to the proceeding in probate court. Probate Court offices shall maintain records of all adoption proceedings."

Section 6. Section 5 of said Act No. 96, H. 490, is deleted and the following is inserted in lieu thereof:

"Section 5. Rules of civil procedure. The Alabama Rules of Civil Procedure shall be applicable to all actions brought in this court except as they are inconsistent with this act and except as the supreme court may otherwise provide by rule."

Section 7. Section 6 of said Act No. 96, H. 490, is deleted and the following is inserted in lieu thereof:

"Section 6. Trials. All cases in the court shall be tried by the judge, who shall determine all issues of law and fact without a jury."

Section 8. Section 7 of said Act No. 96, H. 490, is deleted and the following is inserted in lieu thereof:

"Section 7. Court of Record.

(a) This court is a court of record.

(b) Records of proceedings shall be made, maintained and preserved according to rules promulgated by the supreme court, but neither reports or transcripts of proceedings shall be required by law or rule.

(c) Any party may employ a reporter or provide for a transcript of the proceedings on his own account."

Section 9. Section 8 of said Act No. 96, H. 490, is amended to read as follows:

"Section 8. Appeals.

(a) Time. Any party may appeal from a final judgment of this court by notice filed in this court within fourteen days from the date of the judgment or the denial of a post-trial motion, whichever is later, together with security for costs as required by law or rule. A writ of certiorari, with security for costs, may be issued within six months of a final judgment.

(b) To Circuit Court. Except as provided in paragraph (c) of this section, all appeals from final judgments of this court shall be to the circuit court, for trial de novo. An appellant shall not be entitled to a jury trial in circuit court unless it is demanded in the notice of appeal, and an appellee shall have no right to a jury trial unless written demand is filed in circuit court within fourteen days of service upon him of notice of appeal.

(c) To appellate courts. Appeals shall be directed to the appropriate court:

(1) if an adequate record or stipulation of facts is available and the right to a jury trial is waived by all parties entitled thereto;

(2) if the parties stipulate that only questions of law are involved and this court certifies the questions.

(d) Bonds on appeal. No supersedeas bond shall be required in any appeal to the circuit court, and execution of the judgment shall be stayed

by timely notice of appeal, pending final judgment on appeal. The supreme court may, by rule, require posting of bonds for costs in appeals."

Section 10. Section 9 of said Act No. 96, H. 490, is amended to read as follows:

"Section 9. Judges. There shall be three judges of this court, a presiding judge and two associate judges. Each judge shall reside within the territorial jurisdiction of this court. The present judge of the court of general sessions of Jefferson County shall be an associate judge of this court until expiration of the respective term for which he was appointed. The first term of each other said judge shall end on January 1, 1979. Thereafter each judge shall be appointed for a term of four years. The presiding judge, who shall always be the judge who is senior in years of service, shall make all necessary rules for said court and the officers thereof, and for the filing and trial of cases, and shall distribute and assign work between the judges. The next most senior associate judge shall preside in the absence of the presiding judge. Each judge shall have the power and authority to perform marriage ceremonies."

Section 11. Section 10 of said Act No. 96, H. 490 is amended to read as follows:

"Section 10. Salary of judges. Each judge of this court shall receive an annual salary of twenty three thousand one hundred eighty dollars (\$23,180.00) payable out of the treasury of said county as other salaries are paid."

Section 12. Section 11 of said Act No. 96, H. 490 is amended to read as follows:

"Section 11. Clerk. The present clerk of the court of general sessions of Jefferson County, who is senior in years of service, shall be the clerk of this court and the present clerk of the civil court of Jefferson County shall be the chief deputy clerk of this court, until expiration of the respective terms for which each was appointed; thereafter, the presiding judge shall appoint a clerk pursuant to the civil service laws now or which may hereafter be in force in Jefferson County, who shall give bond in such amount as may be fixed by the county commission from time to time, payable to the State of Alabama and conditioned to faithfully discharge the duties of such office, which bond shall be approved by and filed in the office of the Judge of Probate of Jefferson County, shall be conditioned to pay over all monies to the proper officers and persons to whom it is payable and to faithfully account for all the monies coming into his or her hands by virtue of such office. There shall be the same liabilities and remedies as upon the bond of a clerk of the circuit court and said county commission may make such provisions as they may deem necessary regarding bonds for deputy clerks."

Section 13. Section 12 of said Act No. 96, H. 490, is amended to read as follows:

"Section 12. Court costs and fees. The clerk shall issue all processes out of said court, approve all bonds, keep a docket of said court and its proceedings, certify all appeals and perform such other duties as are usually required of clerks. The fees and costs, except any fees or other charges for the performance of marriage ceremonies by a judge, shall be taxed and collected as now or as may hereafter be provided by law and shall be paid into the county treasury as provided by law."

Court costs and fees on cases which do not exceed one hundred dollars (\$100.00) shall be taxed as follows: Issuing summons and complaint \$1.00; Issuing alias summons \$.50; Issuing subpoena, each witness \$.15; Issuing Execution and taxing cost \$.50; Issuing summons to garnishee \$.50; Issuing attachment writ \$.50; Attachment bond and affidavit \$1.50; Garnishment bond and affidavit \$.50; Writ of detinue \$.50; Dentinue bond and affidavit \$1.50; Issuing garnishment on judgment \$.50; Issuing entering judgment \$.25; Issuing certificate not otherwise provided \$.25; Law Library fee \$.10; Docketing cause and court fee \$3.00; Issuing vendi exponas \$.50; Transcript of proceedings \$.50; Attending trial of right of property \$1.00; Attending trial in unlawful detainer \$4.00; Sci. Fa. or notice in nat. thereof \$.50; Issuing notice of defendant \$.25; Appeal bond, trans. and notice \$1.25; Notice to defendant-Statement of Assets \$1.50; Citation to defendant-Statement of Assets \$1.50; State Fair Trial tax \$2.00; Serving summons, constable \$2.00; Serving Summons, sheriff \$2.50; Serving summons each witness \$.75; Serving garnishment, constable \$2.00; Serving garnishment, sheriff \$2.50; Levying attachment \$.75; Levying execution \$3.00; Making money, 5%, not less than \$.75; Serving notice, etc. on each party therein, constable \$2.00; Serving notice, sheriff \$2.50; Serving Sci. Fa. or other like notice \$2.00; Taking bail or other bond \$2.00; Taking property levied on \$6.00; Dispossessing \$.75; Answer fee \$.50; Witness fees \$.50."

Court costs and fees on cases which exceed five hundred dollars (\$500.00), shall be taxed as herein provided: Issuing summons and complaint \$1.00; Issuing alias summons \$.50; Interrogatories \$.75 Party, \$.10 page; Issuing subpoena duces tecum \$.50; Issuing subpoena, each witness \$.25; Issuing exec. and taxing cost \$1.00; Issuing vendi exponas \$.50; Issuing alias execution \$.50; Issuing commission \$.50; Issuing summons to garnishee \$1.00; Issuing attachment writ \$.50; Bond and affidavit \$1.50; Writ of detinue \$.50; Transfer of case \$3.00; Cer. not otherwise provided for \$.25; Docketing cause and court fee over \$1,000.00 \$9.10; Fair trial tax, \$2.00; Transcript or proceedings \$1.00; Attending trial of right of property dentinue \$1.00; Sci. Fa. or notice in nat. thereof \$.50; Issuing attachment \$1.50; Notice to defendant \$.25; Appeal bond trans. and notice \$3.00; Notice to Deft.-Statement of Assets \$1.50; Citation to Deft.-Statement of Assets \$1.50; Out of county sheriffs charge \$1.50 plus mileage for service (\$.10 mi.); Serving summons and complaint \$2.50; Serving interrogatories \$2.50; Entering return \$.25; Serving summon each witness \$.75; Serving garnishment \$2.50; Levying attachment \$.75; Levying execution \$3.00; Making money, 5%, not less than \$.75; Serving notice, etc. on each party therein \$2.50; Serving Sci. Fa. or other like Notice \$2.50; Taking bail or other bond \$2.00; Taking property levy on \$6.00; Making arrest \$5.00; Witness fees, \$2.00; Library tax \$.25.

Section 14. Section 15 of said Act No. 96, H. 490, is amended to read as follows:

"Section 15. Docket fees. A docket fee of \$7.50 for cases filed on the small claims docket and \$10.00 for cases otherwise filed in this court shall be collected from the plaintiff, third-party plaintiff or counterclaimant at the time an action is filed. The docket fee may be waived and taxed as cost at the conclusion of the case if the court finds that payment of the fee will constitute a substantial hardship and if a verified statement of hardship, signed by the plaintiff and approved by the court, is filed with the clerk."

Section 15. Section 16 of said Act No. 96, H. 490, is deleted and the following is inserted in lieu thereof:

"Section 16. Writs. This court may issue all writs necessary to preserve and enforce its jurisdiction and authority but shall not have jurisdiction of petitions for writs of habeas corpus."

Section 16. Section 21 of said Act No. 96, H. 490, as amended is further amended to read as follows:

"Section 21. Service of process. Service of process in all cases involving county residents whose identity and location are known shall be made by a constable or upon his or her failure or refusal, by the sheriff or other officer of the county, or by some other person specifically appointed by the court for that purpose. Process on non-residents of the county shall be made as otherwise provided by law. A defendant who has failed to appear within fourteen days of service shall be considered in default.

Section 17. Section 24A of said Act No. 96, H. 490, is amended to read as follows:

"Section 24A. Vacation. The presiding judge and the associate judges shall each be entitled to thirty days vacation each calendar year."

Section 18. The said Act No. 96, H. 490, is amended by adding the following new section immediately following Section 24A:

"Section 25. Interrogatories. Written interrogatories may, with leave of court, be served upon another party. Answers or objections must be served within the time fixed by court."

Section 19. Sections 17, 18, 19 and 20, H. 490 are struck in their entirety and the remaining sections shall be renumbered accordingly.

Section 20. If any section, clause, or provision of this act shall be declared unconstitutional or held invalid, it shall not affect any other section, clause, or provision, but the same shall remain in full force and effect.

Section 21. All laws and parts of laws, general, special, or local, in conflict with any of the provisions of this Act, shall be and the same are hereby repealed.

Section 22. This act shall be effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor Abercrombie Foster who, by me duly sworn, deposes and says that she is the Publisher of Alabama Messenger, (formerly the Alabama Legal Advertiser and the Birmingham Messenger), a weekly newspaper of general circulation, published and printed in Jefferson County, Alabama, and which has been in continuous weekly publication since 1918, and that there was published in said newspaper in the issues of July 5, 12, 19, 26, 1975, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE FOSTER,
Publisher.

Sworn and subscribed to on this the 28th day of July, 1975.

KAREN W. ABERCROMBIE,
Notary Public.

Also:

By Messrs. Howard and Armstrong:

H. 1738. To provide for an expense allowance for the president of the board of commissioners and each associate commissioner of the board of any city having a population of not less than 32,000 nor more than 34,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1892, 1894, 1898, 1901, 1902, 1903, 1905, 1906, 1912, 1914 and 1916. To the Committee on Local Legislation No. 1.

H. B.'s 1518 and 1738. To the Committee on Local Legislation No. 2.

(The above numbered Bill, H. B. 1898, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Rich:

H. 1378. Providing that school bus drivers shall have up to 5 days of paid sick leave per year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1378. To the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Higginbotham, Turnham and Whatley:

H. 1197. To amend further Section 388, Title 14, Code of Alabama 1940, relating to the duties of the state toxicologist so as to allow him to microfilm records in lieu of maintaining original reports as currently required.

Also:

By Messrs. Callahan and Sonnier:

H. 1160. To amend the title and further amend Sections 1, 3, 4 and 5 of Act No. 755, 1967 Regular Session (Acts of Alabama 1967, Vol. II, p. 1609), as amended, entitled "To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners, or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries," so as to provide further for the requirements, qualifications and compensation for such Supernumerary Tax Collectors, Tax Assessors and License Commissioners, or other elected officials charged with the assessment and/or collection of any ad valorem taxes in this state, in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1197. To the Committee on State Government.

H. B. 1160. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Crowe:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and

records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

Also:

By Mr. Venable:

H. 1250. To amend Sections 10, 14 and 16 of Act No. 576, Acts of Alabama, 1959 Regular Session, as amended, pertaining to the cost of obtaining registration certificates, duplicate certificates and transfer certificates for vessels operated on the waters of this state, and to provide for the disposition of the proceeds from the increases in those costs as prescribed herein.

Also:

By Messrs. Crowe, Carter and Biddle:

H. 963. To amend the title and Section 1, of Act No. 1281, S. 579, Regular Session 1973 (Acts 1973, p. 2194) authorizing the governing bodies of the several Counties of the State to pay all expenses incurred by the Tax Assessors, Tax Collectors, Circuit Clerks and Registers or other like official by membership in their State organization so as to include Probate Judges.

Also:

By Messrs. Starkey, Sandusky, Albright, Sasser, Carothers, Martin, Kelley, Roberts, Callahan, Cross, Plaster, Smith (C), Moore (O), Trammell, Smith (M), Mitchem, Brindley, Carter, Boles, Smith (B), McCorquodale, Coburn, Jackson (F), Folmar, Crawford, Higginbotham, Taylor, Riddick, Andrews, Hopping, Campbell, Manley, Dial, Weeks, Jolly, Warren, Sparks, Robertson, Baker, McNeese, Morris, McMillan, Quarles, Edwards, Malone, Greer, Reed, LeFlore, Hill, Hilliard, Holley, Ford, Howard, Pegues, Glass, Turnham, Kennedy, Smith (J), Gregg, Moore (W), Clark, Lee, Armstrong, Whatley, Sonnier, Owens, Teague, Drake, McCulley, Burgess, Falkenburg and Killian:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and to initiate legal proceedings to impose sanctions against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

Also:

By Messrs. Cooper and Hines:

H. 971. To amend further Code of Alabama 1940, Title 42, Chapter 1, Sections 1, 2, 4, 5, and 8 as amended, relating to the board of pardons and paroles so as to increase the membership of the board and to prescribe the term of board members. To provide that the chairman of the board shall serve as the executive and administer the affairs of the department. The chairman shall establish hearing dockets and appoint hearing panels of 2 members either to take action or pass the record of a hearing onto other members of the board for their action. The chairman may fill in on hearing panels. To alter provisions pertaining to parole of prisoners.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1764 and 971. To the Committee on Judiciary.

H. B. 1250. To the Committee on Seaports and Inland Waterways.

H. B. 963. To the Committee on Rules.

H. B. 600. To the Committee on Health and Welfare.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Falkenburg, Porter, Hall, Jolly, Armstrong, Hilliard, Hopping, Waggoner, Biddle, McNees, Gafford, Smith (B) and Burgess:

H. 122. Further amending Code of Alabama 1940, Title 22, Section 40, 42 relating to Vital Statistics, providing for equitable fees for service to county registration districts and state registration district in conformity with surrounding states.

Also:

By Messrs. Boles, Hall, Biddle, Hopping, Carter, Sasser, Jolly, Trammell, Sonnier, Carothers, Johnstone, Hilliard, Robertson, Leonard, McNair, Holmes, Warren, Malone, Moore (O) and Howard:

H. 395. To regulate the collection, sale, labeling, and use of blood; providing a penalty for the violation of this act.

Also:

By Messrs. Armstrong, Hill, Malone, Whatley, Kinsey, Hall and Gregg:

H. 752. To amend Code of Alabama 1940, Title 15, Section 100 and 104 which provided for the issuance and execution of search warrants by a

local magistrate, based on probable cause, so as to provide for the issuance to and the execution of such search warrants by any officer of the Alabama Bureau of Investigation or any officer of the Intelligence Unit of the Department of Public Safety, as well as the sheriff or constable.

Also:

By Messrs. Moore (W), Carter, Naramore, Crowe, Martin, Roberts, White, Smith (B), Albright, Starkey, Brindley, Carothers, Shelton, Sparks, Tucker, Howard and Waggoner:

H. 1647. To amend Section 1 of Act No. 281, H. 279, Regular Session 1969 (Acts 1969, p. 614) relating to the safe transportation of pupils to and from school so as to provide certain qualifications for school transportation managers or supervisors.

Also:

By Mr. Folmar:

H. 1509. To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the Director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the State highway system and to collect fees for the issuance of such permits.

Also:

By Messrs. Sonnier and Owens:

H. 1433. To regulate and promote the public health and to bring the laws of Alabama into conformity with PL-93-641, the "National Health Planning and Resources Development Act of 1974" (42 USC 300-k, et. seq.); designate the State Board of Health as the state health planning and development agency; authorizes the State Board of Health to develop and adopt a State Health Plan and a State Medical Facilities Plan, and do such functions that may be necessary to that purpose and to facilitate state health planning policy, augment area-wide and State planning for health services, manpower, and facilities; authorize the State Board of Health to administer the State's health care facility construction and development program; to promulgate and adopt rules, regulations and standards for the health planning and health care facilities construction and development programs. Part 1 of the Act designates the State Board of Health as the sole and official state planning and development agency; authorizes the State Board of Health to establish such internal bureaus and divisions, with professional staffs, as may be necessary to carry out the Act; and, authorizes and empowers the State Board of Health to adopt rules, regulations and standards governing health planning and health care facility construction, and to provide for fair hearings. Part 2 designates the State Board of Health as the sole and official state agency to prepare and adopt a State Health Plan; establishes and sets forth the membership and powers of a Statewide Health Coordinating Council; defines the functions of Health Services Agencies; authorizes the cooperation of the state officials and agencies; and authorizes the State Board of Health to receive and administer funds for health planning. Part 3 names the State Board of Health as the sole and official state agency to receive and administer funds for the health care facilities construction program; authorizes the State Board of Health to prepare and adopt a Medical Facilities Plan; authorizes the construction and operation of public hospitals and health centers; authorizes the State Board of Health to receive federal, state and other

funds for hospital construction and to contract for health care facilities construction; authorizes the acquisition and disposition of property.

Also:

By Messrs. Kelley and Brindley:

H. 1537. To authorize appointing authorities under the state merit system to require an employee of the state in the classified services who is in travel status or otherwise required to operate a motor vehicle to be insured against personal liability resulting from the operation of a state owned or leased vehicle; to provide that such insurance against personal liability shall wherever feasible be by virtue of an additional condition "rider" to the employee's personal liability insurance; or where the employee does not have liability insurance personally that he may procure insurance applicable only when operating a state owned or leased motor vehicle; to fix the amount of such insurance; and to provide for reimbursement of such employee by the state department, agency, bureau, or division by which he is employed.

Also:

By Messrs. Owens, Roberts, Drake, Brindley, Wyatt, Mitchem, Holmes, Greer, Waggoner, Killian, Harris, Rich, McNees, Jackson (F), Coburn, Warren, Crowe, Campbell, Hopping, Manley and McMillan:

H. 1273. To make appropriations to the Alabama Forestry Commission for construction of an automotive maintenance and repair shop, mechanics salaries, and equipment and parts for such shop.

Also:

By Messrs. Crowe, Carter and Biddle:

H. 961. To authorize the establishment of a purchasing system to serve the State Forestry Commission.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 122, 395, and 1433. To the Committee on Health and Welfare.

H. B.'s 752 and 1509. To the Committee on Judiciary.

H. B. 1647. To the Committee on Education.

H. B.'s 1537 and 961. To the Committee on State Government.

H. B. 1273. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Manley:

H. 788. To further amend and reenact the Title and Act of Act No. 563, S. 8, Acts of Alabama 1965, Regular Session, at pages 1049-1050, as amended by Act No. 725, S. 82, Acts of Alabama 1967, Regular Session, at pages 1560-1561, relating to the reporting of incidents of abuse or neglect of children: by adding a new section 1, which gives definitions of "abuse", "neglect," "child" (meaning a person under the age of eighteen years), and "duly constituted authority"; by adding a new section 2, which gives the purpose of the Act; by amending section 1 to be section 3, to include further categories of persons who are required to report child abuse or neglect and to provide for reporting to a "duly constituted authority"; by adding a new section 4, which allows for permissive reporting of child abuse or neglect; by amending section 2 to be section 5; by adding a new section 6, which provides for protective custody of abused or neglected children; by adding a new section 7, which gives the duties of the department of pensions and security upon a receipt of a report of child abuse or neglect; by adding a new section 8 which provides for the establishment of a central registry of reports of child abuse and neglect and also provides for the confidentiality of such reports and records, with a violation of this provision of confidentiality being a misdemeanor and punishable accordingly; by amending section 3 to be section 9; by amending section 4 to be section 10 and by excepting the attorney client privilege from the provision whereby the doctrine of privileged communication is not grounds for excluding evidence in judicial proceedings resulting from reports of child abuse or neglect; by adding a new section 11, which provides that in every case involving an abused or neglected child which results in a judicial proceeding, an attorney will be appointed to represent the child; by adding a new section 12 which provides that the department of pensions and security may make regulations as may be necessary to implement this Act; by amending section 5, 6, 7 and 8 to be sections 13, 14, 15, and 16 respectively; and by making further changes.

Also:

By Messrs. Pegues, Porter, Smith (B), White and Falkenburg:

H. 1642. A bill to regulate and promote the public health and to authorize the State Board of Health to declare a moratorium on health facility construction and equipping in all health services areas in which the Alabama Master Hospital Plan indicates that need for health facility beds, services, and equipment has been met; to repeal Section 13 of Act No. 530, Regular Session 1949.

Also:

By Messrs. Pegues and White:

H. 1782. Relating to payments by the State of Alabama for patients in intermediate care facilities.

Also:

By Messrs. Smith (B), Pegues and White:

H. 1783. Relating to eligibility requirements for medical assistance from the State of Alabama, including but not limited to nursing home patients.

Also:

By Messrs. Pegues, Smith (B) and White:

H. 1784. Providing for the annual audit of all nursing homes in Alabama and the distribution of the auditors report.

Also:

By Messrs. Pegues, Smith (B) and White:

H. 1785. Relating to allowances allowed patients receiving state medical assistance at nursing homes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 788. To the Committee on Judiciary.

H. B.'s 1642, 1782, 1783, 1784 and 1785. To the Committee on Health and Welfare.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Mitchem, Whatley, Smith (J), Sonnier, Smith (B), Carothers, Edwards, Smith (C), McCulley, Dial, Drake, McMillan, Kinsey, Moore (O), Campbell, Plaster, Kelley and Smith (M):

H. 413. Relating to livestock dealers, the annual permit required of such dealers, bills of sale required and removal of the prohibition of the sale of livestock at night: to amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required and the fee required therefor, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940 which prohibits the sale of livestock after sunset or before sunrise.

Also:

By Messrs. Mitchem, Whatley, Smith (J), Sonnier, Smith (B), Williams, Carothers, Edwards, McCulley, Smith (C), Drake, Plaster, Dial, McMillan, Kinsey, Robertson and Campbell:

H. 416. Relating to the payment by the State of Alabama of compensation to surviving dependents of certain peace officers and firemen killed in the line of duty to redefine the term "peace officer": to further amend Section 1 of Act No. 208, S. 34, (Acts of Alabama, 1966 Special Session, page 256), which Act provides for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers or certain firemen killed in the course of employment, said Section of said Act being last amended by Act No. 1130,

S. 482, Legislature of 1969, (Acts of 1969, Vol. III, p. 2094); to further define the term "peace officer" as used in said Act No. 208, Legislature of 1966, Special Session, as amended, to include "livestock theft investigators" of the Department of Agriculture and Industries as "peace officers".

Also:

By Messrs. Mitchem and Whatley:

H. 548. Relating to public warehouses: to amend Section 570 of Title 2 of the Code of Alabama 1940 which relates to the annual filing fee to be paid to the Department of Agriculture and Industries by persons who operate a public warehouse: to require an annual filing fee of twenty-five dollars to be paid by persons operating a public warehouse: to prescribe the effective date of this Act.

Also:

By Messrs. Mitchem and Whatley:

H. 549. Relating to persons engaged in the business of weighing for hire, known as weighmasters: to amend Section 630 of Title 2, Code of Alabama 1940, to increase the annual permit fee required to be paid to be paid to the Commissioner of Agriculture and Industries for persons engaged in the business of weighing for hire and designated as weightmaster; increase said fee to ten dollars; to prescribe the effective date of this Act.

Also:

By Mr. Mitchem:

H. 550. Relating to persons engaged in the business of buying and selling livestock required to be licensed and bonded; to amend Section 3 of Act No. 568, S. 201, Legislature of 1969, approved August 29, 1969 (Acts of 1969, Vol. II, p. 1049) by requiring persons engaged in the business of buying and selling livestock as a livestock dealer to pay an annual license fee of \$20.00; to provide for the effective date of this Act.

Also:

By Mr. Mitchem:

H. 694. Relating to cotton gins and the regulations thereof by the Department of Agriculture and Industries: to amend Section 172 of Title 2 of the Code of Alabama of 1940, as heretofore amended by Act No. 401, H. 190, approved August 16, 1965, (Acts of Alabama of 1965, Vol. I, p. 577) relating to the annual permit fee required for the operation of a cotton gin; prescribing the amount of such permit fee, and the date on which this Act shall become effective.

Also:

By Messrs. Mitchem, Carothers, Smith (C), Smith (M) and Kelly:

H. 1684. Relating to the sale of agricultural liming materials; to regulate the manufacture, sale and distribution of agricultural lime or liming materials by requiring such manufacturers, distributors or sellers thereof to obtain an annual permit from the Commissioner of Agriculture and Industries, prescribing the fee therefor; requiring such product to be

labeled; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; to levy an inspection fee upon agricultural liming materials based upon the sale thereof; providing for the assessment and payment of monetary penalties where agricultural liming materials are deficient pursuant to standards or requirements as fixed by the State Board of Agriculture and Industries; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 22 of Chapter 1 of Title 2 of the Code of Alabama of 1940.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 413, 416, 548, 549, 550, 694 and 1684. To the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe, Sparks, Robertson, Moore (O) and Naramore:

H. 1586. To amend Sections 1, 2, 3, 4, 5, 6, 13, 13½, 14, 15, 16, 18, 19, 20, 24, 25, 28, 29, 33, 35, 39, 41, 42, 44, 49, 50, 52, 55, 57, 62, 69, 72, 73, 74, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 87, 89, 90, 92, 93 and 106 of Act No. 207, S. 134, Regular Session 1949 (Acts 1949, p. 242), as amended, the Act known as the "Alabama Coal Mine Safety Law of 1949", so as to further provide for the health and safety of persons engaged in the mining of coal; for the qualifications and duties of mine inspectors; for the regulation and inspection of underground coal mines in accordance with modern mining practices; for equipment and ventilation standards in order to promote health and safety; for the safe design, maintenance and use of mechanical and electrical equipment; for required first aid and safety equipment; for the establishment of operating procedures to promote mining health and safety.

Also:

By Messrs. Sandusky, Crowe, Biddle and Sonnier:

H. 498. Relating to State Government administration; abolishing the Fort Morgan Historical Commission and transferring to the Department of Conservation and Natural Resources, Division of State Parks all the powers and duties of said Commission and further transferring all assets, materials, supplies and employees to the said Division of State Parks; to provide for the expenditure of funds for the operation and maintenance of said facility. To abolish the offices of Secretary and Historian and Assistant Secretary, Fort Morgan Historical Commission; to specifically repeal all portions of Act Number 204, Acts of

Alabama 1955, p. 497, as amended, which conflict with the provisions of this Act.

Also:

By Messrs. Crowe, Carter and Biddle:

H. 962. To make a supplemental appropriation to the State Agency for Social Security from funds known as the Social Security Contribution Fund in the State Treasury for the Fiscal year ending September 30, 1976.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 1586 and 498. To the Committee on Rules.

H. B. 962. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Killian:

H. 1836. To provide an additional expense allowance for the circuit court reporters of the Ninth Judicial Circuit by the counties composing said circuit.

Also:

By Mr. Whatley:

H. 1643. Relating to landlord and tenant in all counties having populations of not less than 60,000 nor more than 65,000, according to the most recent federal decennial census; defining terms; and providing procedures regarding payment and refund of tenants' deposits and providing for interest thereon.

Also:

By Mr. Sasser:

H. 1883. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971 (Acts 1971, p. 3012) relating to the board of registrars in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census so as to further regulate the days, hours, and places of the meetings of the board of registrars and the compensation of its members.

Also:

By Mr. Rich:

H. 1884. To provide an expense allowance for the Register in Chancery for Cherokee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that the following local bill, or substance thereof, will be introduced at the present or next session of the Legislature of Alabama, and application for passage of said local bill be made in such session of the Legislature.

A BILL TO BE ENTITLED AN ACT

To provide an expense allowance for the Register in Chancery for Cherokee County, Alabama.

Section 1. The Register in Chancery for Cherokee County, Alabama, is hereafter provided an expense allowance of Fifty Dollars per month, to be paid out of the county treasury to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, Joan Morrison a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of public notice as published in said newspaper once a week for four consecutive weeks, beginning on the 23rd day of July, 7-23-75, 7-30-75, 8-6-75, 8-13-75, 1975, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 25th day of August, 1975.

JOAN MORRISON,
Notary Public.

Also:

By Mr. Rich:

H. 1885. To provide an expense allowance for the Deputy Solicitor for Cherokee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that the following local bill, or substance thereof, will be introduced at the present or next session of the Legislature of Alabama, and application for passage of said local bill be made in such session of the Legislature.

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance for the Deputy Solicitor for Cherokee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Deputy Solicitor for Cherokee County, Alabama, is hereafter provided an expense allowance of Two Hundred Dollars per month, to be paid out of the county treasury to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, and upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Joan Morrison a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of public notice as published in said newspaper once a week for four consecutive weeks, beginning on the 30th day of July, 7-30-75, 8-6-75, 8-13-75, 8-20-75, 1975, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 25th day of August, 1975.

JOAN MORRISON,
Notary Public.

Also:

By Mr. Rich:

H. 1886. To provide an expense allowance for the Tax Assessor for Cherokee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that the following local bill, or substance thereof, will be introduced at the present or next session of the Legislature of Alabama, and application for passage of said local bill be made in such session of the Legislature.

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance for the Tax Assessor for Cherokee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax Assessor for Cherokee County, Alabama, is hereafter provided an expense allowance of Fifty Dollars per month, to be paid out of the county treasury to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Joan Morrison a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of public notice Tax Assessor as published in said newspaper once a week for four consecutive weeks, beginning on the 23rd day of July, 7-23-75, 7-30-75, 8-6-75, 8-13-75, 1975, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 25th day of August, 1975.

JOAN MORRISON,
Notary Public.

Also:

By Mr. Rich:

H. 1887. To provide an expense allowance for the Tax Collector for Cherokee County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that the following local bill, or substance thereof, will be introduced at the present or next session of the Legislature of Alabama, and application for passage of said local bill be made in such session of the Legislature.

A BILL
TO BE ENTITLED
AN ACT

To provide an expense allowance for the Tax Collector for Cherokee County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Tax Collector for Cherokee County, Alabama, is hereafter provided an expense allowance of Fifty Dollars per month, to be paid out of the county treasury to be expended in carrying out the duties of his position. Said expense allowance shall be in addition to any and all other salary, compensation or expense allowance provided by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Joan Morrison a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of public notice as published in said newspaper once a week for four consecutive weeks, beginning on the 30th day of July, 7-30-75, 8-6-75, 8-13-75, 8-20-75, 1975, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 25th day of August, 1975.

JOAN MORRISON,
Notary Public.

Also:

By Mr. Dial:

H. 1889. Proposing a further amendment to Amendment No. 331 of the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County, eliminating the requirement for a county referendum.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1836, 1643, 1883, 1884, 1885, 1886, 1887 and 1889. To the Committee on Local Legislation No. 1.

(The above numbered Bill, H. B. 1889, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hines and Cooper:

H. 636. To provide for review of the sentence of an offender when the punishment for that crime of which such offender was convicted is reduced.

Also:

By Messrs. Sasser, Folmar, Holley, Smith (C), Wyatt, Carter, Turnham, Cross, Carothers, Smith (B), Lee, Robertson, Johnson, Crowe, Roberts, Sparks, Brindley, Killian, Starkey, Boles, Baker, Crawford, Williams, Pegues, Manley, Campbell, Jackson (F), Owens, Smith (M), Burgess, Lockett, Gafford, Goodwin, White, Moore (O), Trammell, Leonard, Andrews, McNees, Falkenburg, Armstrong, Teague, Kelley, Mitchem, Rich, Martin, Albright, Biddle, Clark, Morris, Dial, Shelton and Weeks:

H. 987. To provide an educational incentive allowance for state troopers who have completed educational requirements at junior colleges, colleges, or universities.

Also:

By Messrs. Higginbotham, Mitchem, Pegues, Baker, Smith (M), Owens, Turnham, Whatley and Reed:

H. 352. To regulate the solicitation of advertisement by any person, firm, corporation, State or Federal Peace Officers Association for any Peace Officers Magazine or Journal, to provide penalties for violation of this Act.

Also:

By Messrs. Folmar, McCorquodale, Wyatt, Baker, Smith (M), Greer, Biddle, Morris, Jackson (F), Reed, Teague, Venable, Cates, Hines, Holley, White, Plaster, Crowe, Waggoner, Coburn, Williams, Turnham, Higginbotham, Owens, Drake, Brindley, Harris, Smith (J), McCulley, Weeks, Kennedy, Hill, Shelton and Cooper:

H. 767. To provide for a users fee to be paid by each registered land surveyor and professional engineer and to deposit said fees in the State

Treasury to the credit of the Land Surveys Fund; to provide for the expenditure of said monies; and to make an appropriation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 636 and 352. To the Committee on Judiciary.

H. B. 987. To the Committee on Education.

H. B. 767. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Folmar:

H. 1171. To amend further Act No. 533, Acts of Alabama, 1957 Regular Session, page 750, entitled "An Act To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund,' and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082; by Act No. 1051, Acts of Alabama, 1969 Regular Session page 1965; and by Act No. 1202, S. 107, 1973 Regular Session (Acts of 1973, p. 2020); so as to provide for an increase in the registration fee for a license and the annual renewal fee for licenses.

Also:

By Messrs. Hines and Warren:

H. 758. To appropriate \$50,000.00 from the general fund in the state treasury to the general fund of Escambia County as reimbursement for costs incurred in the trial of state inmates in that county.

Also:

By Messrs. Owens, Manley, McCorquodale, Merrill and LeFlore:

H. 200. To make an appropriation to the Governor's Mansion Advisory Board for the refurbishing and refurnishing of the Governor's

Mansion, to provide that said appropriation may be spent either within or outside the provisions of the state purchasing act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1171, 758 and 200. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Folmar, McCorquodale, Wyatt, Baker, Smith (M), Greer, Biddle, Morris, Jackson (F), Williams, Reed, Teague, Venable, Cates, Hines, Holley, White, Plaster, Crowe, Waggoner, Coburn, Turnham, Higginbotham, Owens, Drake, Brindley, Harris, Smith (J), McCulley, Weeks, Kennedy, Hill, Shelton and Cooper:

H. 768. To provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer; to provide for the disposition of said funds by the State Treasurer; to provide that all funds paid out by the State Treasurer shall be budgeted and allotted; and further providing that any monies in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 768. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Hines, Leonard, Lee, Taylor, Cooper and Campbell:

H. J. R. 373. URGING THE BOARD OF CORRECTIONS TO CONSIDER A PLAN OF REORGANIZATION CONDUCTIVE TO THE REHABILITATION OF PROMISING CANDIDATES.

WHEREAS, the Interim Criminal Justice Study Committee has recently reported to the Alabama legislature, and

WHEREAS, that Committee strongly urges the Board of Corrections to carefully consider the possibilities of a reorganization of inmates within the existing institutions so that the more promising candidates for rehabilitation and resocialization are given the most conducive environment possible, and

WHEREAS, the overcrowding which presently exists in the penal system inhibits the rehabilitation process, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, that we strongly urge the Board of Corrections to consider a plan of reorganization conducive to the rehabilitation of promising candidates.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 373, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Mitchem:

H. J. R. 369. AMENDING ACT NO. 22, H. J. R. 18, 1975 ORGANIZATIONAL SESSION, WHICH RECREATED THE JOINT INTERIM COMMITTEE ON AGRICULTURE.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 22, H. J. R. 18, 1975 Organizational Session, approved January 22, 1975, is hereby amended to read as follows:

“That there shall be a joint interim committee on agriculture to meet on call of its chairman during the interim between the date of passage of this resolution and the tenth legislative day of 1976 regular legislative session, which shall make a study of the condition of agriculture in this state, hold hearings, inquire into ways and means of improving agriculture, agricultural marketing, and business and industry based on agriculture in the state, and report its findings, conclusions, and recommendations to the Governor and to each house of the legislature not later than the tenth legislative day of 1976 Regular Session.

“The committee shall consist of the members of the House Committee on Agriculture and the members of the Senate Committee on Agriculture. The chairman of the House Committee on Agriculture shall be chairman of the interim committee and the chairman of the Senate Committee on Agriculture shall be co-chairman of the interim committee. The chairman of the committee, with the approval of the co-chairman, shall set the schedule and program for committee work, shall fix the days and hours of

meeting and conducting hearings and examining witnesses who appear before the committee and may appoint sub-committees and invest them with such authority as may be necessary to conduct the committee's business and expedite its work. The total expenditures of the committee shall not exceed ten thousand dollars, inclusive of per diem legislative pay and travel expenses. Such pay and expenses shall be paid out of any available funds appropriated to the use of the legislature.

"Any and all prior interim committees on agriculture are hereby abolished."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 369, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lee:

H. J. R. 368. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ADOPTING A REVISED CRIMINAL CODE FOR THE STATE OF ALABAMA.

WHEREAS there is great and pressing need for a comprehensive study of the need of devising and adopting a revised criminal code for the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a joint interim committee to study the need for adopting a revised criminal code for the State of Alabama. Such committee shall be composed of eight members from the House and eight members from the Senate to be appointed by the presiding officer of their respective houses. The committee shall select its own chairman and vice chairman from among its membership. The committee shall adopt its own rules of procedure for the conduct and transaction of its business.

Upon the request of the chairman, or the vice chairman, the Secretary of the Senate or the Clerk of the House shall provide such clerical assistance as may be necessary for the committee's work.

The committee shall report its findings, conclusions and recommendations to the legislature not later than the tenth legislative day of the 1976 Regular Session, whereupon the committee shall be dissolved. Each member of the committee shall be entitled to his regular legislative compensation, his per diem and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, on warrants drawn on the state comptroller upon requisitions signed by the committee's chairman.

Provided, however, that the expenditures for any purposes of this committee shall not exceed six thousand dollars.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 368, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. McCluskey:

H. J. R. 376. THANKING THE UNIVERSITY OF ALABAMA CENTER FOR BUSINESS AND ECONOMIC RESEARCH, THE ALABAMA LEAGUE OF MUNICIPALITIES, THE ALABAMA DEVELOPMENT OFFICE, AND THE ALABAMA STATE CHAMBER OF COMMERCE FOR RESEARCH STUDY ON CHARACTERISTICS OF HOUSE AND SENATE DISTRICTS

WHEREAS, the new reapportionment of the Alabama Legislature resulted in House and Senate Districts which cut across all traditional political boundary lines in this State; and

WHEREAS, the makeup of the new districts left Representatives and Senators without a reliable source of information on the economic, demographic and social characteristics of their own constituencies; and

WHEREAS, this unmet need was recognized in the Spring of 1975 by the Alabama League of Municipalities, which recruited the assistance of the University of Alabama Center for Business and Economic Research, the Alabama Development Office, and the Alabama State Chamber of Commerce in conducting a research study to assemble and print the 1970 Federal Census statistics by legislative districts; and

WHEREAS, the development of the study necessitated a complete reprogramming of existing Census data, which The University of Alabama Center for Business and Economic Research spent considerable time and expense to complete; and

WHEREAS, the results of this study have now been presented to each Representative and Senator, providing them with extremely valuable information on the characteristics of their own districts; and

WHEREAS, the Legislative Reference Service has been presented with a complete set of the studies for all House and Senate Districts, representing 1,200 pages of statistics, so that members of the Legislature will have a source of comparative information on their respective districts;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we express the thanks of each member of the House and Senate to The University of Alabama Center for Business and Economics Research, the Alabama League of Municipalities, the Alabama Development Office, and the Alabama State Chamber of Commerce for

their initiative in perceiving the need for this invaluable data and for their efforts in assembling and producing the material for each House and Senate District.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 376, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Pegues:

H. J. R. 366. REQUESTING CERTAIN LOBBYISTS TO STOP USING STRONG ARM TACTICS ON MEMBERS OF THE LEGISLATURE.

WHEREAS a certain small segment of the lobbyists in the State Capitol and one lobbyist who represents a large group of professional people in particular has gained quite a reputation for using strong arm tactics on members of the legislature; and

WHEREAS the members of the legislature have been subject to harassment, intimidation and threats while in committee chambers and in the hallways of the Capitol in connection with their actions and votes upon certain matters pertaining to this professional group; and

WHEREAS it is truthful and wise advice that "friendly persuasion" will gain more friends and influence more people than threats and harassment; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the legislature does advise the party who has been particularly guilty of these tactics that they are not well received by the members of the legislature and that for the benefit of himself and the professional group that he represents that he should forthwith cease and desist from any threats, harassments, and intimidation of members of the legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 366, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Hall:

H. J. R. 338. REQUESTING THE JEFFERSON COUNTY COMMISSION AND THE WATER BOARD TO REVIEW AND REVISE THE RATES.

WHEREAS there are certain areas in Jefferson County that are serviced as rural areas but which in fact have high density populations; and

WHEREAS the Legislature of Alabama and the people of Jefferson County have become alarmed at the recent rate increases brought about by classifying certain areas from a centralized area rate to a rural area rate; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, THEREOF, That we request the Jefferson County Commission and the Water Board to review the recent rate changes and to define what a rural area and a centralized area is.

RESOLVED FURTHER, That a copy of this resolution be sent to the Mayor of Birmingham and the General Manager of the Birmingham Water Works Board.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 338, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS RE-REFERRED

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the Bill, S. B. 1251, and ordered same returned to the Senate with the recommendation that said Bill be re-referred to the Standing Committee on Agriculture.

And the President and Presiding Officer of the Senate ordered said Bill, S. B. 1251, re-referred to the Standing Committee on Agriculture.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the Bills, H. B.'s 1583, 1593 and 1821, and ordered same returned to the Senate with the recommendation that said Bills be re-referred to the Standing Committee on Finance and Taxation.

And the President and Presiding Officer of the Senate ordered said Bills, H. B.'s 1583, 1593 and 1821, re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Smith (J):

H. 1790. To amend Section 8, Act No. 42, H. 207, Regular Session 1971 (Acts 1971, p. 279), relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$30,000,000 and to increase the years of maturity from not exceeding 30 to not exceeding 40 years.

Also:

By Messrs. Mitchem and Kelley:

H. 1899. A bill relating to all counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; providing for the establishment of a new salary commission and abolishing the former commission; establishing the powers, duties, compensation and method of appointment for the new commission; repealing Act No. 800, H. 1916, 1973 Regular Session (Acts of 1973, p. 1216) and other conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1790. To the Committee on Rules.

H. B. 1899. To the Committee on Local Legislation No. 1.

UNFINISHED BUSINESS

BILLS ON THIRD READING RESUMED

The Senate proceeded to consideration of the Unfinished Business for today, which was the Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

The question was on the motion by Mr. Flipppo that consideration of the Bill be postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 797. To further amend and reenact Act No. 422, H. 325, 1951 Regular Session (Acts of 1951, p. 745), as amended, entitled "An Act To regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for

obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws”.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 383. MOURNING THE DEATH OF REPRESENTATIVE RAY BURGESS.

Also:

H. J. R. 385. MOURNING THE DEATH OF FORMER REPRESENTATIVE D. C. (“DEACON”) GREY.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 201. To provide that driver licenses bear photographic likeness in color of licensed drivers and to provide for a system to implement the use of color photographic driver license forms and for the time and manner of implementing this act; and to provide for non-driver identification cards; to provide for the issuance of driver licenses valid for a period of four (4) years, and to set the cost of such licenses and identification cards, and the fees for issuance; to provide for interim driver licenses valid for a period of two (2) years to implement this act, and to set the cost of such licenses; to provide that contracts may be awarded for a period of a total of five years; to amend Section 62, Title 36, Code of Alabama 1940; to repeal Section 59, Title 36, Code of Alabama 1940, as amended.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 857. To revise the fee schedule for services rendered in probate offices and establish a new schedule for such services; and to repeal Code of Alabama 1940, Title 11, Section 29, and other general laws of state-wide application in conflict herewith.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 121. ADOPTING PROPOSED RULE REGARDING FIREARMS OR LETHAL WEAPONS AS RULE 15 OF THE "JOINT RULES OF THE TWO HOUSES OF THE LEGISLATURE OF ALABAMA."

Also:

H. J. R. 329. TO NAME THE MEDICAL AND DIAGNOSTIC CENTER OF THE ALABAMA PRISON SYSTEM THAT IS LOCATED IN MONTGOMERY COUNTY "THE KILBY CORRECTIONS FACILITY."

Also:

H. J. R. 275. HONORING DOCTOR HARRY M. PHILPOTT.

Also:

H. J. R. 159. MEMORIALIZING CONGRESS TO CHANGE THE COPYRIGHT LAW.

Also:

H. J. R. 46. HONORING N. S. "NICK" HARE FOR HIS PIONEER WORK ON THE NEW ALABAMA RULES OF CIVIL PROCEDURE AND IN THE FIELD OF JUDICIAL REFORM.

Also:

H. J. R. 254. Requesting the Division of Vocational Education for Community Colleges to Secure Federal Funds for Additional Mine Training Programs.

Also:

H. J. R. 365. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM COMMITTEE ON FINANCE AND TAXATION.

Also:

H. J. R. 335. COMMENDING THE ALABAMA AGRICULTURAL EXPERIMENT STATIONS AND NOTING APPRECIATION DAY FOR 1975, ON NOVEMBER 13, 1975, TO PROVIDE RECOGNITION FOR THEIR 100 YEARS OF SERVICE.

Also:

H. J. R. 382. Relative to sine die adjournment.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 137. MOURNING THE DEATH OF FORMER REPRESENTATIVE D. C. ("DEACON") GREY.

WHEREAS, the Alabama Legislature notes with a Sense of deep regret the death of former State Representative D. C. ("Deacon") Grey on September 22, 1975; and

WHEREAS, Representative Grey was born December 18, 1922, in Bankston, Alabama; and

WHEREAS, Mr. Grey has served since October 1, 1973 as Tax Collector of Fayette County and was a member of the House of Representatives from 1971 to October 1, 1973, and was the former Mayor of Berry; and

WHEREAS, this public servant used his talents for the betterment of the citizens of his community and state; and

WHEREAS, this prominent and influential leader was a World War II Army Veteran, past president of the Lions Club, and a member of the American Legion, the Masons, and the Baptist Church; and

WHEREAS, "Deacon's" generosity, quick wit and good humor attracted friends whose number are legion; and

WHEREAS, Representative D. C. ("Deacon") Grey is survived by his wife, the former Marie Brasher of Bankston, and by his four sons, Mitchell, Tony, Danny and Jimmy; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we mourn the death of our good friend and former colleague, and extend our sincere sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Gafford, Moore (O), Andrews, White and Waggoner:

H. 1446. To amend further the Title and Article III, Sections 3.01, 3.02, 3.09; Article IV, 4.01, 4.02, 4.03, 4.04, 4.05, 4.06, 4.07, 4.08 and 4.09 of Act No. 452, H. 974, Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955 (Acts of 1955, p. 1004), as amended, providing a Mayor-Council form of government for cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census, so as to provide for the election of the members of the Council from districts, defined as herein directed; and to provide further for the election, term and qualification of candidates for the offices of Mayor, Vice-Mayor, and Councilman; to provide further for filling vacancies in the offices of Mayor, Vice-Mayor and Councilman.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1446. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 245. Providing for the coverage of the employees of all counties and certain municipalities under the provisions of the Workmen's Compensation Law; and for this purpose amending the Code of Alabama 1940, Title 26, Section 263.

JOHN W. PEMBERTON,
Clerk.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 185. Regulating further the licensing of passenger vehicles and pickup trucks to provide for the issuance of semi-permanent license plates with a tab or other device indicating the payment of the license tag for the current year.

Also:

S. 415. To amend section 282, 283, 284, 287, 292, 297 and 300 of Title 28, Code of Alabama 1940, §295 of Title 28, Code of Alabama 1940, as amended by Act No. 2300, Regular session 1971, (Acts of 1971, p. 3711 et. seq.), and Section 2 of Act No. 603, Regular Session 1957 (Acts of 1957, p. 862), as amended by Act No. 221, Regular Session 1967 (Acts of 1967, p. 589) (now appearing as Section 287, (3), Title 28, Code of Alabama 1940, as Recompiled 1958), all of which provide for credit unions in Alabama, so as to provide for supervision by the superintendent of banks, to provide further for examination fees, to provide further duties for the supervisory committee, and to provide for a policy as concerns loans to directors and officers.

Also:

S. 457. Relating to the weighing of livestock at public livestock markets which requires persons operating scales to obtain an annual permit from the Commissioner of Agriculture and Industries and to be bonded: to amend Section 2 of Act No. 169, H. 238, Legislature of 1959, approved September 23, 1959 (Acts of 1959, Vol. 1, p. 693) by fixing the amount of the annual permit fee to be paid by persons who operate scales upon which livestock are weighed at livestock markets which amount shall be ten dollars (\$10.00); to prescribe the effective date of this Act.

Also:

S. 797. To further amend and reenact Act No. 422, H. 325, 1951 Regular Session (Acts of 1951, p. 745), as amended, entitled "An Act To regulate through licensure the business, occupation, or calling of real estate brokers, and real estate salesmen: defining terms; creating the Alabama Real Estate Commission, and prescribing the jurisdiction, authority, powers and duties thereof; fixing the qualifications of real estate brokers and real estate salesmen and prescribing the procedure for obtaining a license to engage in such business, occupation, or calling, providing for the suspension or revocation of licenses issued; providing penalties for violations of this Act or rules, regulations, and orders issued under the authority thereof; making appropriations; and repealing conflicting laws".

Also:

S. 1162. To regulate and control the sale of alcoholic beverages in Madison County, Alabama; to authorize the City of Triana in said County to regulate and control the sale of alcoholic beverages within the corporate

limits and the police jurisdiction thereof; to provide for the reclassification of existing retail malt and brewed beverages and retail liquor licenses; to provide that nothing herein shall relieve any licensee from complying with all of the laws of the State of Alabama and the rules and regulations of the Alcoholic Beverage Control Board of the State of Alabama pertaining to said licensee; to provide that licensees have all required food handling permits from the Madison County Department of Public Health; to regulate the hours of retail liquor and retail malt or brewed beverage establishments within said County; to provide for the prompt reporting of all assaults, assault and batteries, affrays, and other altercations occurring upon licensed premises; and providing for penalties.

Also:

S. J. R. 110. Honoring Chief Claude Carr.

Also:

S. J. R. 114. Congratulating McMillan Lane.

Also:

S. J. R. 115. Commending the Birmingham Area Council of Camp Fire, Inc.

Also:

S. J. R. 119. Commending and Congratulating Leaborne L. Eads.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

BILL RE-REFERRED

Mr. St. John moved that the Bill, H. B. 1764, be removed from the Standing Committee on Judiciary and re-referred to the Standing Committee on Banking, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1764, re-referred to the Standing Committee on Banking.

BILL RE-COMMITTED

Mr. Littleton moved that the Bill, H. B. 1392, having had its second reading earlier today, be re-committed to the Standing Committee on Local Legislation No. 1 for further consideration, which motion was adopted.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1392, re-committed to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Callahan:

H. 1669. To authorize the state of Alabama, acting through its agency, the Alabama state docks department, with the consent of the governor, to enter into contracts and agreements with the United States of America or any of its agencies for the purpose of acquiring from the United States of America, or any of its agencies, funds and facilities for public use in connection with waterways and navigation for which said funds are obtained and to comply with the provisions of Public Law No. 91-646 known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in connection with such public projects for which Federal funds are available and used.

Also:

By Mr. Carter:

H. 1562. To amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), which act creates the Alabama Historical Commission, so as to provide further for the employment by the said commission of certain personnel.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1669. To the Committee on Seaports and Inland Waterways.

H. B. 1562. To the Committee on Rules.

RECESS

At 5:30 P.M., on motion of Mr. Vacca, the Senate took a recess until 7:30 this evening.

NIGHT SESSION

THIRTY-SECOND LEGISLATIVE DAY

TUESDAY, SEPTEMBER 23, 1975

The Senate re-assembled in the Senate Chamber at 7:30 P.M. and was called to order by Lieutenant Governor Beasley.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 34

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion of Mr. Flipppo that further consideration of the Bill be postponed temporarily.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hill:

H. 94. Proposing an amendment to the Constitution of Alabama relating to the travel expenses to be paid members of the legislature.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution, and referred to appropriate Standing Committee as follows:

H. B. 94. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Killian and Mitchem:

H. 1865. To limit the use of public road and bridge funds of DeKalb County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To limit the use of public road and bridge funds of DeKalb County.

Be It Enacted by the Legislature of Alabama:

Section 1. No monies in the DeKalb County road and bridge fund shall be expended for any purpose other than for the construction, maintenance and repair of roads and bridges in said county under contract with the state highway department or a private contractor who has complied with the state competitive bid laws. In no case shall such funds be transferred to the general fund or used for salaries, purchase of equipment or machinery or for any purpose other than herein provided.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 25, April 1, April 8, and April 15, all in the year 1975.

JERRY E. WHITTLE.

Sworn to and subscribed before me August 27th, 1975.

MARY RUTH BROWN,
Notary Public.

Also:

By Messrs. Killian and Mitchem:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; authorizing the DeKalb County Commission to an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. The DeKalb County Commission is authorized to impose upon every person, firm, or corporation who sells, stores, delivers, uses or otherwise consumes cigarettes or cigars in DeKalb County an additional privilege, license or excise tax in the following amounts:

(a) One cent (\$0.01) for each package of cigarettes, made of tobacco or any substitute therefor.

(b) One cent (\$0.01) for each cigar of any description made of tobacco or any substitute therefor.

Said privilege, license or excise tax shall be in addition to all other taxes heretofore imposed by law.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes and cigars such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes and one each cigar.

Section 2. Upon adoption by the DeKalb County Commission, every person, firm, corporation, club, or association that sells or stores or received for the purpose of distribution in DeKalb County any cigarettes or cigars shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes and cigars, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose of distributing the cigarettes or cigars, acting merely as agent for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes and cigars on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes and cigars. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in DeKalb County in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one

hundred dollars (\$100.00) or imprisoned in the county jail for not more than sixty days, or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax hereby authorized shall be paid by affixing stamps as in required for the payment of the tax imposed by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended. The state department of revenue shall have the same duties relative to the preparation and sale of stamps to evidence the payment of such tax that it has relative to the preparation and sale of stamps under that article: and may exercise the same powers and perform the same duties in the same manner relative to the collection of the tax hereby levied that it does relative to the collection of that tax.

Section 4. The state department of revenue is hereby authorized to promulgate and enforce rules and regulations to effectuate the purposes of this Act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue, relating to the manner and time of payment of the tax levied by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The proceeds from the tax herein imposed shall be deposited in the general fund of DeKalb County to be expended at the discretion of the County Commission.

Section 7. (a) None of the provisions of this act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitution. (b) This statute shall not be construed to apply to cigarettes and cigars stored by a wholesale dealer for the purpose of resale or reshipment outside of such counties which are actually resold or reshipped.

Section 8. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this act are repealed.

Section 10. This act shall become effective immediately upon its passage and approval of the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Jerry E. Whittle, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without

cost to the State of Alabama, said notice having appeared in the issues of said paper on March 25, April 1, April 8, and April 15, all in the year 1975.

JERRY E. WHITTLE,
Publisher.

Sworn to and subscribed before me this 27th day of August, 1975.

MARY RUTH BROWN,
Notary Public.

My Commission Expires 1-17-77.

Also:

By Messrs. Killian and Mitchem:

H. 1867. Relating to DeKalb County; to provide that the DeKalb County Commission may levy and collect a severance tax on coal produced in said county at a rate to be established by said county commission; to provide that such tax shall be in addition to any state severance tax on coal and shall be deposited in the general fund of said county to be expended at the discretion of said county commission.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; to provide that the DeKalb County Commission may levy and collect a severance tax on coal produced in said county at a rate to be established by said county commission; to provide that such tax shall be in addition to any state severance tax on coal and shall be deposited in the general fund of said county to be expended at the discretion of said county commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The DeKalb County Commission may levy and collect from each producer of coal in DeKalb County, a privilege or license tax to be known as a "severance tax." The rate of said tax shall be established by said county commission.

Section 2. The tax herein levied shall be in addition to any state tax heretofore or hereafter imposed on the severance of coal and shall be deposited in the general fund of said County at the discretion of said county commission.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, this day personally appeared Jerry E. Whittle who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the The Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 25, April 1, April 8, and April 15, all in the year 1975.

JERRY E. WHITTLE,
Publisher.

Sworn to and subscribed before me this 27th day of August, 1975.

MARY RUTH BROWN,
Notary Public.

My Commission expires 1-17-77.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1865, 1866 and 1867. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Killian and Mitchem:

H. 1864. Relating to DeKalb County; imposing an additional excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county, except diesel fuel used for any purpose whatsoever; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF DEKALB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County. Imposing an additional excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such County for the collection of said tax.

Be It Enacted by the Legislature of Alabama:

Section 1. The term "gasoline" as used in this Act shall include gasoline, naptha and other liquid motor fuels or any devices or substitutes therefor commonly used in internal combustion engines, provided that nothing contained in this Act shall apply to those products commonly known as kerosene oil, fuel oil, and crude oil used for lighting or heating purposes. The term "person" means and includes every person, corporation, co-partnership, company, agency or association, singular, or plural. The term "distributor" shall include any person who shall engage in the selling of gasoline as herein defined in DeKalb County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce. The term "retail dealer" shall include any person herein defined as the distributor who is also engaged in the sale of gasoline as herein defined at any place in DeKalb County in broken quantities. The term "storer" as used herein shall include any person who ships gasoline into DeKalb County in tank quantities and stores the same and withdraws or uses same for any purpose.

Section 2. In addition to all other taxes imposed by law, there is hereby imposed an excise tax of 1 cent per gallon on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in DeKalb County, Alabama, and to require every distributor, retail dealer or storer of gasoline as herein defined to pay excise tax of 1 cent per gallon upon the selling, distributing or withdrawing from storage for any use, gasoline as herein defined in DeKalb County, Alabama; provided that the excise tax levied by this Act shall not be levied upon the sale of gasoline in inter-state commerce, and provided further that if the excise tax imposed by this Act upon the sale of such gasoline shall have been paid by a distributor or by retail dealer or storer, such

payment shall be sufficient, the intention being that the tax shall not be paid but once. The excise tax imposed by this Act shall apply to persons, firms, corporations, dealers or distributors storing gasoline and distributing same or allowing the same to be withdrawn from storage, whether such withdrawal be for sale or other use, provided that sellers of gasoline and its substitutes paying the tax herein provided may pay the same computed and paid on the basis of their sales as hereinafter required, and storers and distributors shall compute and pay such tax on the basis of their withdrawals or distributions. The tax herein provided for shall be in addition to any and all excise or other taxes whatsoever imposed on gasoline, naphtha and other liquid motor fuels or any device or substitute therefor, or on the business of selling, distributing, storing or withdrawing from storage for any purpose, gasoline as herein defined; however, the governing body of said county shall have no authority to levy any tax upon any gasoline as herein defined when used in essential governmental functions by the State of Alabama or any agency thereof, or county governing agencies, municipalities, and boards of education.

Section 3. On or before the 20th day of each month after this Act has become effective, every person upon whom the excise tax is levied shall render to the governing body of such county on forms prescribed by such governing body a true and correct statement of all sales and withdrawals of gasoline made by him or them during the next preceding month, liable for payment of the excise tax imposed by this Act, and shall furnish to said governing body such additional information as such governing body may require upon blanks to be formulated and furnished by said governing body, and at the time of making such report shall pay to the said governing body an amount of money equal to the excise tax levied by this Act. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths, and any false statement sworn to shall constitute perjury and upon conviction thereupon the person so convicted shall be punished as provided by law for the crime of perjury.

Section 4. All distributors, storers and retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents or papers as will clearly show the amount of sale of withdrawals of gasoline made in DeKalb County taxed under this Act.

Section 5. Within thirty days after any tax shall have levied under authority of this Act every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline in DeKalb County shall make a report on blanks furnished under Section 2 hereof to the governing body of said County, showing the place and post office address at which he is engaged in the business of distributor or storer or retail dealer in gasoline within said County, which information shall be entered by the governing body of said County on a book kept for that purpose, and should such distributor, storer or retail dealer move his place of business from one business address to another such distributor, storer or retail dealer shall within thirty days thereafter notify the said governing body of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. After the tax imposed under this Act has become effective, no person shall become a distributor, storer or seller of gasoline in said County until he shall have made such reports to the said governing body.

Section 6. If any distributor, storer or retail dealer of gasoline in said County shall fail to make the reports of any of them as required in any provisions of this Act or shall fail to comply with any regulation adopted for the collection of said tax by the governing body of said County, within the time required for making such reports, or shall fail to pay the tax imposed within the time fixed for the payment thereof, said distributor, storer or retail dealer shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than \$50.00 nor more than \$300.00 for each offense.

Section 7. It shall be the duty of the governing body of said County to enforce the provisions of this Act and it shall have the right itself, or its members or its agents, to examine the books, reports and accounts of every distributor, storer or retail dealer of gasoline on which such tax has been imposed and to make any and all rules and regulations necessary and proper for the collection of such tax.

Section 8. If any distributor, storer or retail dealer in gasoline shall fail to make monthly reports or shall fail to pay the tax imposed under authority of this Act, the tax shall be deemed delinquent within the meaning of this Act and there shall be added to the amount of his tax a penalty of 25%, provided if in the opinion of the governing body of the said County a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted. The said governing body shall be authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the governing body of said County shall issue execution for the collection of the same, directed to any sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the County Tax Collector and make return of such execution to the governing body issuing the same. The tax herein authorized to be levied and the penalties herein provided for shall be held as a debt payable to the County of DeKalb by the person against whom the same shall have been imposed or against whom the penalties shall have accrued, and all such taxes and penalties shall be a lien upon the property in said County and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall be accrued.

Section 9. The acceptance of any amount paid for the excise tax imposed under this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10. Any distributor, storer or dealer who shall violate any provisions of this Act or shall fail to comply with any reasonable rule or regulation promulgated hereunder, may be restrained, and proper prosecution instituted in the name of said County by the Attorney General of the State of Alabama, or by such counsel as the governing body of said County shall direct, from distributing, selling, storing or withdrawing from storage any gasoline the sale or withdrawal of which is taxable until such persons shall have complied with the provisions of this Act.

Section 11. Each agent or any railroad company, bus or truck operator or other transportation company or agency operating in DeKalb County shall report to the governing body of said County on the first day of January, April, July and October of each year all shipments of gasoline

as defined in this Act or substitutes therefor handled by him or through the station or office at which he is the agent, and delivered to any person in DeKalb County, Alabama, during the preceding three months, giving the names and address of the consignor or consignee shipping and receiving said gasoline or substitute therefor and the number of gallons or pounds contained in each and every shipment.

Section 12. The proceeds of any tax imposed under authority of this Act shall be paid into the road and bridge fund in the county treasury for use as provided in Section 13.

Section 13. Expenditures from the road and bridge fund provided for in Section 12, shall be made for matching state highway department funds or federal funds for the construction, maintenance and repair of roads and bridges in DeKalb County which are under contract with the state highway department or a private contractor who has complied with the state competitive bid laws. In no case shall any expenditure be made for salaries, purchase of equipment or machinery or for any purpose other than herein provided.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this Act are repealed.

Section 16. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

**STATE OF ALABAMA
COUNTY OF DEKALB**

Before me, the undersigned authority in and for said County and State, this day personally appeared Jerry E. Whittle who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Times-Journal, a newspaper of general circulation published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 25, April 1, April 8, and April 15, all in the year 1975.

JERRY E. WHITTLE,
Publisher.

Sworn to and Subscribed before me this 27th day of August, 1975.

MARY RUTH BROWN,
Notary Public.

My Commission Expires 1-17-77.

Also:

By Mr. Manley:

H. 1846. To amend Act No. 1265, H. 360, Regular Session 1971 (Acts 1971, p. 2194), which act pertains to the legal possession of certain quantities of alcoholic beverages in certain places, so as to provide further for those places in which such beverages can be legally possessed.

Also:

By Messrs. Venable, Plaster, Harris and Barron:

H. 1778. To make a conditional appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of Five Hundred Thousand (\$500,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1864. To the Committee on Local Legislation No. 1.

H. B. 1846. To the Committee on Judiciary.

H. B. 1778. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 430. To amend the Code of Alabama 1940, Title 12, Section 115 relating to claims against the County so as to remove the requirement that claims be sworn to.

Also:

S. 450. Requiring the owners of livestock who brand their livestock to register such brands with the Department of Agriculture and Industries, and to provide for the transfer and re-registration of such registered brands; to prescribe fees to be paid therefor; to require the Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, sheriffs and other law enforcement personnel for tracing, locating and determining ownership of lost, estrayed or stolen livestock; imposing certain duties relating to record keeping of the receipt, sale and handling of livestock upon livestock markets, slaughterers, livestock dealers and livestock hide dealers concerning the identity of livestock; to authorize the State Board of Agriculture and Industries to adopt rules and regulations to carry out the provisions of this act; to prescribe penalties for violations of the provisions of this Act; to provide for the effective date hereof, and the repeal of laws in conflict with this Act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Jackson (R), Reed, Hilliard, Tucker, McNair, Harrison, Cooper, LeFlore, Holmes, Kennedy, Lewis and Porter:

H. J. R. 391. COMMENDING AND MEMORIALIZING DR. FREDERICK D. PATTERSON, FOUNDER AND HONORARY PRESIDENT OF THE UNITED NEGRO COLLEGE FUND.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Pearson, the Rules were suspended and the Resolution, H. J. R. 391, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Smith (J), Hill, Hall, McMillan, Leonard, Goodwin, LeFlore and Martin:

H. 1646. Relating to elections; amending the law relating thereto by amending, deleting, or adding sections as follows and divided into ten chapters:

Chapter 1—time of elections

Repeals sections 65 through 74 relating to officers to be elected at each general election and adds a new section establishing the date of the general election;

Chapter 2—new duties of the secretary of state

adds a new section that the secretary of state shall publish a handbook for election officials; and amends section 186 to provide that the secretary of state shall prescribe standard election forms;

Chapter 3—voting centers

amends section 84 to allow county governing bodies to establish voting centers at which voters may vote at any machine, providing for the number and selection of personnel at such centers and their duties, election procedure, and repealing inconsistent local acts;

amends section 120 so as not to conflict with voting center provisions regarding the number of election officials needed at the polls;

Chapter 4—voting machines

amends sections 91, 92, 94, 97, 101, 102, 112, 113 to prohibit the use of paper ballots after 1980 and to allow counties to choose either electro-mechanical voting machines or electronic voting systems; defining terms; establishing standards for such machines; abolishing referenda on the use of such machines; establishing preliminaries to opening the polls, the conduct of elections, and the closing of the polls when using either type of machine; and generally making provisions now regarding electro-mechanical machines applicable to electronic voting systems; and repealing inconsistent local acts;

repeals sections 93, 95, 96, 111, and Act 409, 1943 Regular Session;

amend section 103 to provide that election officials must attend training on voting machines only once each twelve months;

amends section 112 to allow voters waiting to vote at the close of the polls to vote;

adds a new section to require the probate judge to open voting machines to allow inspection thereof after the election;

repeals (effective 1980) sections 193, 194, 195, 196, 197, and Act 800, 1951 Regular Session;

amends section 198 to raise the compensation of election officials;

Chapter 5—voting hours

adds a new section to allow each county government to establish voting hours for the county; providing for notice of such hours; and repealing inconsistent local acts;

amends sections 131 and 132 to require election officials to come to polls one hour before polls open;

repeals section 172;

adds a new section to allow persons waiting to vote at the close of the polls to vote;

Chapter 6—placing names on ballot

amends section 145 to provide that party chairman must certify nominees to the probate judge 21 days prior to the election; to provide that independent candidates must qualify by petition before the date of the primary; to set the number of signatures needed on such petition; and to prohibit any primary candidate from running as an independent candidate for the same office;

repeals Act _____, 1967 Special Session;

Chapter 7—challenge oaths

amends sections 188 and 189 to simplify the challenge ballot oaths in conformity with present registration requirements;

Chapter 8—canvass procedures

amends section 197 to require returns to be made immediately upon completion of the count no later than 10 a.m. on the day following the election;

amends section 199 to require the board of election supervisors to canvass returns at noon on the day following the election;

amends section 200 to delete a reference to member of the house of representatives as county officers;

amends section 201 to require county canvass to be sent to the secretary of state immediately upon completion by certified mail and generally combining sections 202, 203, 205, and 212, which are repealed;

amends section 204 to change a reference from section 203 to section 201;

repeals sections 209, 210, 211, and 223;

Chapter 9—contests and challenges

amends sections 231, 236, 237, 238, 250, 252, and 253, repeals sections 239 through 248 and 254 through 267, and adds two new sections to unify the election contest procedures, to provide that a miscount or mistabulation of votes is a grounds of challenge, establishing the composition and venue of the special circuit court to hear contests, providing for the place of filing complaints, requiring a specification of the evidence, requiring and establishing the amount of security for costs, providing for appeals and costs of appeals;

adding new sections regarding contests of primary nominations and challenges to primary candidates; defining terms; setting the time for contest or challenges; who may file; with whom filed; by whom heard; contents of petition; procedure; appeal to the supreme court

repeals section 368 and sections 373 through 392;

Chapter 10—Miscellaneous

repeals sections 136, 137, 138, 141, 220, 228, 229, 230, Act 154, 1961 Special Session and Act 105, 1965 Special Session;

amends sections 77 and 80 to allow the county governing body to change voting district lines at any regular meeting;

amends section 154 to establish a uniform order for listing offices on the ballot;

amends section 168 to require the probate judge to preserve certificates and petitions of nomination for one year;

amends section 170 to require only 105 paper ballots per 100 voters at each polling place;

amends section 227 to raise the compensation of presidential electors;

repealing inconsistent acts; providing for an effective date; and providing for the severability of the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1646. To the Committee on Constitution and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Owens:

H. 1815. To amend Act No. 276, S. 170, 1971 Third Special Session (Acts of 1971, p. 4543) [now appearing in Code of Alabama, Recompiled

1958, Title 23, Section 64(17)-64(35)] amending Sections III, IV, VI, VII, XII, and XIII of such act known as the "Highway Beautification Act—Outdoor Advertising"; so as to provide control of outdoor advertising signs outside of an urban area beyond 660 feet of the right-of-way of interstate or primary highway systems; to provide for Court proceedings, evidentiary matters and procedures; to provide for just compensation for removal of such signs and to provide penalties for violations.

Also:

By Mr. Biddle:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budget shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1815 and 1917. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. McCulley, McMillan, Malone, Lewis, Callahan, Kinsey, Sonnier, Cooper, Sandusky, Warren, Glass, Shelton, Smith (B), LeFlore, Turnham, Johnstone and Kennedy:

H. 1565. To amend further Section 3 of Act No. 1, H. 46, Regular Session 1945 (Acts of 1945, p. 3), as amended, now appearing in Title 26, Section 179 (26), Code of Alabama, Recompiled 1958, so as to increase the number of members of the state gas and oil board to seven, and to provide that two of the members must be voting residents of the first congressional district and one member must be voting residents of the seventh congressional district.

Also:

By Messrs. Armstrong, Hilliard, Ford and Glass:

H. 318. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1565 and 318. To the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion of Mr. Flippo that consideration of the Bill be postponed temporarily, which motion was adopted, and further consideration of the Bill was postponed temporarily.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Flippo, further consideration of the Bill, H. B. 1409, was indefinitely postponed by the Senate.

Yeas 32; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—32

Nays:

—0

On motion of Mr. Flippo, further consideration of the Bill, H. B. 1410, was indefinitely postponed by the Senate.

Yeas 30; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Andrews, Hopping, Moore (O), Hall, White, Trammell, Boles, Porter, Jolly, Howard, Waggoner, Biddle, Harrison, Falkenburg and Hilliard:

H. 714. To provide for arbitration in order to settle disputes between police officers, and their public employers in any city having a population of 250,000 or more according to the most recent federal decennial census, specifically authorizing collective bargaining between police officers and their public employers to provide for penalties for violation of this act, to make such violations a misdemeanor and requiring compliance with collective bargaining agreements and findings of arbitrators.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 714. To the Committee on Local Legislation No. 2.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Owen offered the following substitute for the Bill, H. B. 490, to-wit:

SUBSTITUTE FOR H. B. 490

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other

than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes: (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for the fiscal year ending September 30, 1976, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) EXPENSES OF THE LEGISLATURE:

- | | |
|--|--------------|
| (a) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature..... | 1,500,000.00 |
| (b) National Conference of State Legislators...
(For the purpose of paying the State's share of the operation of the National Conference of the State Legislatures.) | 22,500.00 |
| (c) For the printing of Legislative Acts and Journals, Estimated..... | 125,000.00 |
| (d) For Legislative Council expenses | 50,000.00 |

(2) LEGISLATIVE REFERENCE SERVICE:

- | | |
|--------------------------------------|------------|
| (a) For operation of the Department: | |
| For salary of the Director ... | 24,042.00 |
| For other salaries | 338,394.00 |

For other expenses	26,100.00	
For equipment purchases . . .	<u>2,000.00</u>	
Total		390,536.00
(b) Commission on Intergovernmental Co- operation:		
For salaries, other expenses, equipment purchases and Matching Federal Funds . .		145,000.00
(Any portion of the above appropriation can be used for Reorganization of the State Government project and employees shall not be subject to the provisions of the Merit System Law.)		
(c) Code Revision:		
For salaries and expenses, Estimated		10,000.00
(3) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:		
For salary of the Chief Examiner .	22,729.00	
For salary of the Assistant Chief Examiner	21,502.00	
For other salaries	1,780,819.00	
For other expenses	445,000.00	
For equipment purchases	<u>9,000.00</u>	
Total		2,295,000.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and eight Associate Justices	301,500.00	
For the salary of the Clerk of Court, Est.	26,130.00	
For the salary of the Marshal and Librarian, Estimated	26,130.00	
For the salary of Reporter of Decisions, Estimated	21,502.00	
For the salaries of Law Clerks, Estimated	110,214.00	
For other salaries	356,524.00	
For other expenses	85,000.00	
For equipment purchases	5,000.00	
For printing Alabama Reports, Estimated	13,000.00	
For Advisory Committee Work . .	5,000.00	
For Judicial Education	<u>5,000.00</u>	
Total		955,000.00
For the Supreme Court Library Fund		85,000.00

(2) COURT OF CRIMINAL APPEALS:

For the salaries of the judges . . .	165,000.00	
For the salary of Clerk of Court, Estimated	26,130.00	
For the salaries of Law Clerks, Estimated	61,230.00	
For other salaries	112,125.00	
For other expenses	31,000.00	

For equipment purchases	5,000.00	
For printing Appellate Court Reports, Estimated.	8,000.00	
Total		408,485.00
(3) COURT OF CIVIL APPEALS:		
For the salaries of the Judges.	99,000.00	
For the salaries of Law Clerks, Estimated	39,238.00	
For the salary of Clerk of Court, Estimated	26,130.00	
For other salaries	72,915.00	
For other expenses	18,500.00	
For rental of office space.	27,125.00	
For equipment and book purchases.	1,000.00	
For printing Appellate Court Reports, Estimated.	7,200.00	
Total		291,108.00
(4) THE CIRCUIT COURTS:		
For the salaries of the Judges of the Circuit Courts, Estimated.		2,450,000.00
For travel expenses of Circuit Judges, Estimated		25,000.00
For College of Trial Judges, as provided in Act No. 730, 1967 Regular Session		10,000.00
For telephone service, stationery, stamps, books, equipment purchases and necessary office supplies for the office use of Circuit Judges		50,000.00
For the salaries and travel expenses of special Judges, Estimated		15,000.00
For salaries of District Attorneys, Estimated	936,000.00	
For salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	23,000.00	
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00	
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00	
For the salaries of the Second and Third Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00	
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit: \$4,000.00 each	20,000.00	

For the salary of the Deputy District Attorney of the 1st Judicial Circuit	3,600.00
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	24,000.00
For the salaries of the Deputies District Attorneys of the 6th Judicial Circuit	14,400.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	10,800.00
For the salaries of the Deputies District Attorneys of the 9th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 10th Judicial Circuit	22,000.00
For the salary of the Deputy District Attorney of the 11th Judicial Circuit	4,500.00
For the salaries of the Deputies District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00
For the salary of the Assistant District Attorney of the 14th Judicial Circuit	7,200.00
For the salaries of the Deputies District Attorneys of the 15th Judicial Circuit	38,600.00
For the salaries of the Deputies District Attorneys of the 16th Judicial Circuit	6,000.00
For the salaries of the Deputies District Attorneys of the 23rd Judicial Circuit	42,000.00
For the salaries of the Deputies District Attorneys of the 26th Judicial Circuit	13,000.00
For the salary of the Deputy District Attorney of the 27th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00
For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit	4,200.00
For the salary of the Deputy District Attorney for the 32nd Judicial Circuit	9,600.00
For the salary of the Deputy District Attorney for the 38th Judicial Circuit	3,600.00

For the travel expenses of the District Attorneys, Estimated. . .	40,000.00	
For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps and necessary office supplies for the office use of the District Attorneys, Deputy District Attorneys or Assistants (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	50,000.00	
For the salaries of the Public Defenders for the 21st Judicial Circuit, as provided by Act No. 1158, 1969 Regular Session. . . .	24,000.00	
Total		1,385,125.00
For the salary and expenses of Supernumerary District Attorneys, Estimated.		125,737.00
(5) DEPARTMENT OF COURT MANAGEMENT:		
For transfer to the Department of Court Management Fund		78,666.00
(6) COURT REPORTERS:		
For the compensation of the Circuit Court Reporters, Estimated		350,000.00
For the compensation of the Supernumerary Circuit Court Reporters, Estimated		70,000.00
(7) SUPERNUMERARY JUDGES:		
For salaries of Supernumerary Judges and Justices, Estimated		275,000.00
For expenses of Supernumerary Judges and Justices, Estimated		35,000.00
(8) JUDICIAL INQUIRY COMMISSION		44,500.00
(9) JUDICIARY RETIREMENT FUNDS, ESTIMATED		885,000.00
(10) PERMANENT STUDY COMMISSION ON ALABAMA'S JUDICIAL SYSTEM		25,000.00
III. EXECUTIVE:		
A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:		
(1) ALABAMA ACADEMY OF HONOR.		1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 1965.)		
(2) STATE BOARD OF ADJUSTMENT:		
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343		15,000.00

(b) For expenditures by the Board payable from General Fund the provisions of Act No. 208, 1966 Special Session and Act No. 436, 1967 Regular Session, Estimated	100,000.00
(3) ADVERTISING LANDS FOR TAX SALE, ESTIMATED	14,000.00
(4) COMMISSION ON AGING—TRANSFER	200,000.00
(5) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:	
(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries.	2,540,000.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases	520,000.00
(c) For transfer to the Department of Agriculture and Industries to be expended by the Egg Inspection Division for salaries, other expenses and equipment purchases	53,000.00
(d) For transfer to the Department of Agriculture and Industries to be expended by said Department for salaries, other expenses, equipment purchases, automotive equipment purchases and for purchase of insecticides and chemicals for control of the fire ant	250,000.00
(The above appropriation in item (d) shall be conditional upon the condition of the State Treasury with the approval of the Governor.)	
(6) AGRICULTURE CENTER BOARD:	
(a) For transfer to the Agriculture Center Board for salaries and other expenses .	50,265.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session.	90,000.00
(7) ALABAMA AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION	40,000.00
(8) APPALACHAIN REGIONAL DEVELOPMENT PROGRAM	150,000.00
(9) DEPARTMENT OF ARCHIVES AND HISTORY:	
For the salary of the Director	22,728.94
For other salaries	189,771.06
For other expenses	40,000.00

For equipment purchases.	5,000.00	
For expenses of printing of the Alabama Historical Quarterly	7,500.00	
For expenses of printing of the Statistical Register	<u>10,000.00</u>	
Total		275,000.00
(10) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of absconding felons, Estimated		2,000.00
(11) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:		
For transfer to the Council on the Arts and Humanities		100,000.00
(12) PAYMENT OF ATTORNEYS FEES IN INDIGENT CAPITAL CASES, EST- IMATED		37,500.00
(As provided in Act No. 176, 1947 Acts, page 61)		
(13) OFFICE OF THE ATTORNEY GENERAL:		
For the salary of the Attorney General	33,500.00	
For the salary of the Deputy Attorney General	32,500.00	
For the salary of the Execu- tive Assistant, Estimated	26,130.00	
For other salaries	575,000.00	
For other expenses	110,000.00	
For equipment purchases.	6,000.00	
For automotive equipment purchases	5,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	<u>15,000.00</u>	
Total		803,130.00
(For Matching Federal Funds, if available, \$60,000 from any of the above appro- priations may be used for this purpose.)		
(14) OFFICE OF THE STATE AUDITOR:		
(a) For operation of the De- partment:		
For the salary of the State Auditor	22,970.00	
For other salaries	160,000.00	
For other expenses	37,030.00	
For equipment purchases.	<u>5,000.00</u>	
Total		225,000.00
(b) Office of the State Au- ditor—Property Inven- tory:		

For salaries	50,000.00	
For other expenses	9,150.00	
For equipment purchases.	<u>850.00</u>	
Total		60,000.00
(15)AUTOMATIC APPEAL EXPENSE, ESTIMATED.		3,000.00
Provided in 1943 Acts of Legislature, page 217.		
(16)COOSA-ALABAMA DEVELOPMENT AUTHORITY.		12,500.00
(17)TRANSFER TO STATE DOCKS DE- PARTMENT: For dredging and constructing the Theodore ship channel		2,000,000.00
(18)(a) STATE BANKING DEPARTMENT: For transfer to the State Banking Department.		113,000.00
(b) BANKING DEPARTMENT- BUREAU OF LOANS: For transfer to the State Banking Department.		140,000.00
(19)BICENTENNIAL COMMISSION, ALABAMA		30,000.00
(20)BUILDING COMMISSION: For salaries, other expenses, equipment purchases and automotive equipment purchases		100,000.00
(21)ALABAMA HISTORICAL COM- MISSION-TRANSFER		7,000.00
(For operation of Cahaba Historical Site in accordance with Act No. 155, 1975 Third Special Session.)		
(22)ALABAMA WING OF CIVIL AIR PATROL.		35,000.00
(23)CIVIL COURT COST IN CONNECTION WITH AD VALOREM TAX ASSES- MENTS APPEALS, ESTIMATED.		100.00
(24)DEPARTMENT OF CIVIL DEFENSE: (a) For salaries, other expenses and equip- ment purchases		195,000.00
(b) For matching Federal Funds-Disaster Relief		1,215,000.00
(25)DEPARTMENT OF CONSERVATION: For transfer to Conservation— State Parks Fund— For salaries, other expenses, equipment purchases and capital outlay for the State Parks Division		1,400,000.00
(26)BOARD OF CORRECTIONS: For transfer to Board of Corrections.		7,500,000.00

REGULAR SESSION

2795

(27) COUNCIL OF STATE GOVERNMENTS .	30,790.00
(28) COURT COSTS, ESTIMATED	250,000.00
To be paid by the State of Alabama pursuant to Act No. 558, 1957 Acts, page 777.	
(29) COURT COSTS, ESTIMATED	65,000.00
To be paid by the State of Alabama not otherwise provided for.	
(30) DEPARTMENTAL EMERGENCY FUND	450,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
(31) ALABAMA DEVELOPMENT OFFICE:	
For transfer to Alabama Development Office for operations.	2,561,000.00
(32) ELECTION EXPENSES, ESTIMATED . .	900,000.00
(33) ELK RIVER DEVELOPMENT ASSOCIATION	5,000.00
(34) STATE EMPLOYEES INSURANCE.	450,000.00
To pay the State's share of the State Employees Insurance Program, estimated.	
(35) STATE EMPLOYEES INSURANCE BOARD:	
For salaries	31,750.00
For other expenses	5,900.00
For equipment purchases.	350.00
Total	38,000.00
(36) EMPLOYEES' RETIREMENT FUND—STATE'S PART, ESTIMATED	3,300,000.00
(37) ETHICS COMMISSION, ALABAMA:	
For operations of the Alabama Ethics Commission	100,000.00
(38) FAIR TRIAL TAX-TRANSFER	100,000.00
To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.	
(39) FARMERS' MARKET AUTHORITY:	
For transfer to the Farmers' Market Authority for the operation of the Farmers' Market Authority.	53,000.00
(40) FEEDING OF PRISONERS:	
For expenses of feeding prisoners in county jails, Estimated	1,300,000.00
(41) DEPARTMENT OF FINANCE:	
(a) Director's Office:	
For the salary of the Director, Estimated	24,000.00
For the salary of the Assistant Director, Estimated.	23,699.00

For other salaries	12,246.00	
For other expenses	<u>8,500.00</u>	
Total		68,445.00
(b) Division of the Budget:		
For salaries	232,400.00	
For other expenses	16,600.00	
For equipment purchases	11,000.00	
To carry out the provisions of the Governor's Committee on Fiscal Responsibility's Contractual Services for Program Budgeting initiation	<u>150,000.00</u>	
Total		410,000.00
(c) Division of Control and Accounts:		
For salaries	475,000.00	
For other expenses	200,000.00	
For equipment purchases	<u>5,000.00</u>	
Total		680,000.00
(d) Legal Division:		
For salaries	57,630.00	
For other expenses	6,370.00	
For equipment purchases	<u>1,000.00</u>	
Total		65,000.00
(e) Data Systems Management—Transfer		150,000.00
(f) Data Systems Management Revolving Fund		450,000.00
(g) Division of Printing and Publications		50,000.00
(h) Division of Purchases and Stores:		
For salaries	304,500.00	
For other expenses	35,000.00	
For equipment purchases	<u>2,000.00</u>	
Total		341,500.00
(i) Division of Service:		
For salaries	782,000.00	
For other expenses	360,000.00	
For equipment purchases	<u>15,000.00</u>	
Total		1,157,000.00
(j) Space Management Operations		60,000.00
(k) Equipment purchases for the State Offices in the Executive, Administrative and Judicial Departments		5,000.00
(42) MATCHING FEDERAL FUNDS NOT OTHERWISE PROVIDED FOR		100,000.00
(43) ALABAMA FORESTRY COMMISSION:		
For transfer to the Alabama Forestry Com-		

mission—For salaries, other expenses, equipment purchases and automotive equipment purchases		1,500,000.00
(44) FORT MORGAN HISTORICAL COM- MISSION:		
For salaries	37,000.00	
For other expenses	20,000.00	
For equipment purchases.	<u>2,800.00</u>	
Total		59,800.00
(45) GEOLOGICAL SURVEY:		
For the salary of the State Geologist	26,591.00	
For other salaries	350,000.00	
For other expenses	110,000.00	
For equipment purchases.	5,000.00	
For operation of new building	18,409.00	
For matching funds for in- vestigation of water, mineral & energy resources of the State	180,000.00	
For test drilling	25,000.00	
For topographic Mapping ...	<u>25,000.00</u>	
Total		740,000.00
(46) GORGAS MEMORIAL BOARD		9,500.00
To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383 and an additional amount.		
(47) THE GOVERNOR'S OFFICE:		
(a) For operation of the Department:		
For the salary of the Governor	28,955.00	
For the salary of the Executive Secretary	22,729.00	
For the salary of the Legal Advisor	22,729.00	
For the salary of the Press Secretary	22,729.00	
For the salary of the Con- fidential Assistant	22,729.00	
For other salaries	147,204.00	
For other expenses	105,000.00	
For printing Governor's State Budget, Estimated	22,000.00	
For equipment purchases.	3,500.00	
For automotive equip- ment purchases	<u>8,000.00</u>	
Total		405,575.00
(b) For the Governor's Emergency Fund, to be expended at the direction of the Governor		100,000.00
(c) For the Governor's Controlled Con- tingency Fund		60,000.00

(d) For Governor's Office—		
Consumer Agency:		
For salaries	119,000.00	
For other expenses	40,000.00	
For equipment purchases	1,000.00	
Total		160,000.00
(e) For the Mansion Fund		45,000.00
(f) For the Governor's Mansion at Gulf Shores		10,000.00
(g) For the Governor's Committee on Reorganization of State Governments...		38,500.00
(48)EXPENSES OF GOVERNOR'S PROCLAMATION, ESTIMATED		150,000.00
(49)NATIONAL GOVERNOR'S CONFERENCE		16,150.00
(50)GOVERNOR'S RETIREMENT, ESTIMATED		9,000.00
(51)GOVERNOR'S WIDOWS RETIREMENT, ESTIMATED		14,400.00
(52)DEPARTMENT OF HEALTH:		
(a) For Administration of all State Health Services and Programs (excluding Medicaid)		8,677,912.00
(b) For Medicaid:		
For transfer to the Medicaid Account ..		50,600,000.00
(53)HELEN KELLER HOME:		
For operation and maintenance		5,000.00
(54)OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		
For transfer to Office of Highway and Traffic Safety		75,000.00
(55)ALABAMA HISTORICAL COMMISSION:		
For transfer to Alabama Historical Commission		144,720.00
(56)HISTORIC CHATTAHOOCHEE COMMISSION		74,650.00
(57)RICHMOND PEARSON HOBSON MEMORIAL BOARD		9,500.00
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount.		
(58)DEPARTMENT OF INDUSTRIAL RELATIONS:		
For salaries	389,400.00	
For other expenses	70,000.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	4,600.00	
Total		465,000.00

(59) DEPARTMENT OF INSURANCE:	
For salary of the Director . . .	24,487.71
For other salaries	399,512.29
For other expenses	118,000.00
For equipment purchases. . .	3,000.00
For automotive equipment purchases	<u>5,000.00</u>
Total	550,000.00
(60) INTERPRETER'S ACCOUNT, ES- TIMATED	
(To carry out provisions of Act No. 799, 1965 Regular Session.)	100.00
(61) COURT OF JUDICIARY:	
For salaries	2,500.00
For other expenses	4,150.00
For equipment purchases. . .	<u>200.00</u>
Total	6,850.00
(62) STATE LABOR DEPARTMENT:	
For salary of the Director . . .	22,729.00
For other salaries	105,571.00
For other expenses	26,200.00
For equipment purchases. . .	<u>500.00</u>
Total	155,000.00
(63) LAGRANGE HISTORICAL COM- MISSION	
(To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540.)	2,500.00
(64) LAW ENFORCEMENT LEGAL DE- FENSE, ESTIMATED	
(To carry out provisions of Act No. 259, 1957 Regular Session.)	2,000.00
(65) ALABAMA LAW ENFORCEMENT PLANNING AGENCY:	
For matching Federal Funds	715,000.00
(66) TRANSFER TO TELEPHONE RE- VOLVING FUND	
	576,720.00
(67) LIVESTOCK COLISEUM:	
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum	140,000.00
(68) MAILING TAX NOTICES, ESTIMATED	
	7,500.00
(69) MENTAL HEALTH:	
For transfer to Special Mental Health Fund	14,800,000.00
(70) MILITARY DEPARTMENT:	
(a) For operation of the De- partment:	
For salary of the Adjutant General	22,729.00
For other salaries	528,271.00
For other expenses	110,000.00

For equipment purchases.	<u>4,000.00</u>	
Total.		665,000.00
(b) For Quarterly Allowances:		
For Headquarters		5,000.00
For Regular Allowance to Units.		363,500.00
Provided that not more than \$5,000 may be allotted in any fiscal year for the Headquarters, Alabama National Guard.		
(c) For Active Military Service—Active National Guard		100,000.00
(d) For transfer to the Armory Com- mission:		
For care and maintenance of armories.		950,000.00
For construction of armories		1,006,000.00
(71) OIL AND GAS BOARD:		
(a) Operations of Board:		
For salaries	419,500.00	
For other expenses	100,000.00	
For equipment purchases.	5,000.00	
For salaries, other ex- penses, equipment pur- chases and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	<u>40,000.00</u>	
Total.		564,500.00
(b) For the Oil and Gas Board to monitor offshore oil drilling		60,000.00
(72) BOARD OF PARDONS AND PAROLES:		
For salaries of Board Mem- bers	63,321.00	
For other salaries	1,471,679.00	
For other expenses	150,000.00	
For equipment purchases.	9,000.00	
For Federal matching Funds.	<u>50,000.00</u>	
Total		1,744,000.00
(73) DEPARTMENT OF PENSIONS AND SECURITY:		
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		13,000,000.00
(74) PERSONNEL DEPARTMENT:		
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department		109,760.00
(75) FIRST WHITE HOUSE OF CON- FEDERACY:		
		11,500.00
(76) COMMISSION TO PRE-		

SERVE THE PEACE:		
For salaries	31,500.00	
For other expenses	<u>27,000.00</u>	
Total		58,500.00
(77) PRESIDENTIAL ELECTORAL EXPENSE, ESTIMATED		600.00
(78) PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES, ESTIMATED		10,000.00
(79) BOARD OF EXAMINERS OF PSYCHOLOGY:		
For transfer to Board of Examiners of Psychology for operation		1,600.00
(80) BUREAU OF PUBLICITY AND INFORMATION:		
(a) For operation of the Department:		
For salary of the Director	20,533.00	
For other salaries	58,467.00	
For other expenses	63,000.00	
For equipment purchases	1,000.00	
For Ave Maria Grotto ...	2,500.00	
For Blue and Gray Football Game	10,000.00	
For Guntersville Boat Races	9,500.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	5,000.00	
For Mobile Junior Miss Pageant	25,000.00	
For National Peanut Festival Association ...	10,000.00	
For Spirit of America Festival, Inc.	5,000.00	
For Alonzo Stagg Bowl ..	5,000.00	
For Alabama Mountain Lake Association	20,000.00	
For Gulf Shores Tourist Association	15,000.00	
For The Chilton County Peach Festival	<u>5,000.00</u>	
Total		265,000.00
(b) Welcome Centers:		
For salaries	125,000.00	
For other expenses	35,000.00	
For Bureau's share in constructing and equipping Welcome Centers	<u>100,000.00</u>	
Total		260,000.00
(81) DISTRIBUTION OF PUBLIC DOCUMENTS, ESTIMATED		30,000.00
(82) TALLACOOSA MOUNTAIN LAKE ASSOCIATION		10,000.00

(83) DEPARTMENT OF PUBLIC SAFETY:	
For the salary of the Director	22,729.00
For other salaries	10,580,271.00
For other expenses	3,682,000.00
For Workman's Compensation Insurance, Est. . .	140,000.00
For equipment purchases. . . .	150,000.00
For automotive equipment purchases	<u>750,000.00</u>
Total	15,325,000.00
(84) REGISTRATION OF VOTERS, ESTIMATED	450,000.00
(85) REMOVAL OF PRISONERS:	
For expenses incident to removal of prisoners, Estimated	75,000.00
(86) DEPARTMENT OF REVENUE:	
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department	1,201,096.54
(b) For Auto Title and Auto Theft Fund	500,000.00
(c) Boards of Equalization:	
For salaries of the members and employees of the county boards of equalization	143,750.00
For other expenses	<u>4,000.00</u>
Total	147,750.00
(d) Equalization Fund	250,000.00
(This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)	
(87) RIVERBOAT ASSOCIATION, MONTGOMERY	25,000.00
(88) OFFICE OF SECRETARY OF STATE:	
(a) For operation of the Department:	
For the salary of the Secretary of State	22,959.00
For other salaries	78,026.00
For other expenses	29,250.00
For equipment purchases.	<u>2,500.00</u>
Total	132,735.00
(b) Law Books Inventory:	
For salaries	9,000.00
For other expenses	4,000.00
For equipment purchases.	<u>2,000.00</u>
Total	15,000.00
(c) Uniform Commercial Code:	
For salaries	56,000.00
For other expenses	28,000.00

For equipment purchases.	3,500.00	
Total		87,500.00
(89) SECURITIES COMMISSION:		
For salaries	104,000.00	
For other expenses	15,000.00	
For equipment purchases.	5,000.00	
Total		124,000.00
(90) STATE'S SHARE OF SOCIAL SECURITY, ESTIMATED		1,200,000.00
(91) SOCIAL SECURITY ADMINISTRATION:		
For salaries	115,000.00	
For other expenses	19,000.00	
For equipment purchases.	2,000.00	
Total		136,000.00
(92) SOIL CONSERVATION COMMITTEE:		
For salaries	46,122.00	
For other expenses	71,778.00	
For Watershed Planning Party	75,000.00	
Water Conservation Districts	60,300.00	
For equipment purchases.	1,000.00	
Total		254,200.00
(93) SOUTHERN INTERSTATE NUCLEAR BOARD		11,057.00
(94) WOMEN'S COMMISSION, ALABAMA ..		10,000.00
(95) SPORTS HALL OF FAME BOARD		25,000.00
(To carry out provisions of Act No. 225, 1967 Regular Session.)		
(96) ALABAMA STEER SHOW ASSOCIATION		10,000.00
(97) TANNEHILL FURNACE AND FOUNDRY COMMISSION		25,000.00
(98) TENNESSEE RIVER DEVELOPMENT AUTHORITY		10,000.00
(99) TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY ..		120,000.00
(To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957.)		
(100) STATE TOXICOLOGIST:		
For the salary of the State Toxicologist	26,252.00	
For other salaries	420,748.00	
For other expenses	80,000.00	
For equipment purchases.	25,000.00	
For automotive equipment purchases	8,000.00	
For Matching Federal Funds.	60,000.00	
Total		620,000.00

(101) OFFICE OF THE STATE TREASURER:		
For the salary of the State		
Treasurer	22,959.00	
For other salaries	300,000.00	
For other expenses	75,000.00	
For equipment purchases. . .	12,000.00	
For vault equipment pur-		
chases	3,000.00	
Total		412,959.00
(102) STATE TREASURER—PREVIOUS		
YEAR UNPAID WARRANTS, ES-		
TIMATED		50,000.00
(103) TRI-RIVERS DEVELOPMENT AS-		
SOCIATION		30,000.00
(104) COMMISSION ON UNIFORM STATE		
LAWS		4,000.00
(Total amount appropriation by Act No.		
926, Acts 1951, page 1575, for expenses,		
operation and contributions of Com-		
mission.)		
(106) DEPARTMENT OF VETERANS		
AFFAIRS:		
For the salary of the Service		
Commissioner	19,996.00	
For other salaries	1,186,995.00	
For other expenses	67,000.00	
For equipment purchases. . .	4,000.00	
For contract with Veterans of		
Foreign War Organization. .	36,000.00	
For contract with disabled		
American Veterans Organi-		
zation	9,000.00	
Automotive Equipment		
Purchases	16,000.00	
Total		1,338,991.00
(107) NATIONAL VETERANS DAY COM-		
MITTEE, BIRMINGHAM, ALABAMA .		3,000.00
(108) VETERANS DAY COMMISSION, ALA-		
BAMA		1,500.00
(109) VETERANS DAY COMMISSION,		
NATIONAL		1,500.00
(110) WATERSHED CONSERVANCY DIS-		
TRICTS:		
(1) Bear Creek Watershed Association . . .		35,000.00
(2) Choccolocco Watershed		4,000.00
(3) Crooked Creek Watershed		2,500.00
(4) Ketchepedrakee Watershed		2,500.00
(111) LAW ENFORCEMENT PLANNING		
AGENCY:		
Diversion Investigating Unit		350,000.00
(Conditional upon the condition of the State		

Treasury and upon the approval of the Governor.)

(112) TALLASSEEHATCHEE WATERSHED .	2,500.00
(113) Transfer to State Highway Department.	13,500,000.00
For Transfer to State Highway Department conditional upon the condition of the State Treasury and with the approval of the Governor.	3,000,000.00
(114) Pea River Historical and Genological So- ciety of Enterprise	25,000.00
(115) Agricultural and Industrial Exhibit Com- mission For the construction of a Swine Pavilion.	50,000.00
B. DEBT SERVICE:	
(1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII.	281,440.00
(2) For interest on Spanish American War Veterans Fund, Estimated	294.86
(3) For the payment of principal and interest due on bonds issued by State Docks— Inland Waterways, pursuant to Con- stitutional Amendment No. CXVI, Esti- mated	1,851,512.50
(4) For the payment of principal and interest on bonds issued by the State Parks Develop- ment Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated	771,495.00
(5) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV.	227,480.00
(6) For the payment of principal and interest due on bonds issued for the Tennessee- Tombigbee Waterway pursuant to Con- stitutional Amendment No. CCLXX as provided by in Act No. 248, 1967 Regular Session, Estimated.	438,445.00
C. FROM FUNDS OTHER THAN GENERAL FUND:	

(1) ALABAMA STATE BOARD OF PUBLIC
ACCOUNTANCY:

For salaries, other expenses and equipment purchases	105,000.00
In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby ap- propriated such an amount as may be necessary to pay the refund of any ap-	

plications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

(a) For the salary of the Director, Estimated	22,729.00	
For other salaries	70,000.00	
For other expenses	40,079.00	
For equipment purchases.	<u>1,000.00</u>	
Total.		133,808.00
(b) For State Aid to Airports—For Airports and Airmarkings		450,000.00
The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.		

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts	200,000.00
The above appropriation is payable from the funds transferred to this account in Item III A (4) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.	

(4) AGRICULTURE AND INDUSTRIES:

(a) For the salary of the Commissioner	22,959.00	
For other salaries	2,576,863.00	
For other expenses	910,000.00	
For equipment purchases.	80,000.00	
For automotive equipment purchases	109,738.00	
For transfer to State Personnel Department	10,990.00	
For transfer to Agriculture Center Board.	54,450.00	
For awarding prizes and premiums	20,000.00	
For transfer to Telephone Revolving Fund.	<u>18,900.00</u>	
Total.		3,803,900.00
The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations		

made to said fund in Item III A (5)(a). The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of the fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

- (b) Egg Inspection Division:
- | | | |
|--|------------------|-----------|
| For salaries | 66,000.00 | |
| For other expenses | 14,550.00 | |
| For equipment purchases. | 1,000.00 | |
| For automotive equipment purchases | <u>11,000.00</u> | |
| Total | | 92,550.00 |
- The above appropriations are payable from funds in the Egg Inspection Fund and shall include the appropriations made to said fund in Item III A (5)(c).
- (c) Meat and Poultry Inspection Division:
- | | | |
|--------------------------|-----------------|--------------|
| For salaries | 850,000.00 | |
| For other expenses | 215,000.00 | |
| For equipment purchases. | <u>4,000.00</u> | |
| Total | | 1,069,000.00 |
- The above appropriations are payable from the funds to the credit of the Meat and Poultry Inspection Fund and shall include the appropriation made herein in Item III A (5) (b).
- (d) Plant Industry Division (Fire Ant Control)
- | | | |
|---|--|------------|
| For salaries, other expenses, equipment purchases and for purchase of insecticides and chemicals for control of the fire ant, estimated. | | 250,000.00 |
|---|--|------------|
- The above appropriations are payable from the funds transferred to this account in Item III A (5) (d) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government and grants

and contributions from other sources are hereby appropriated.

(e) Agriculture Center Board:

For salaries	36,036.00
For other expenses	9,100.00
For rental (Livestock Coliseum, Montgomery)	54,450.00

Total

99,586.00

The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in Item III A (6) (a) and Item III C (4)(a).

(f) Livestock Coliseum:

For salaries	115,000.00
For other expenses	165,000.00
For equipment purchases	6,000.00
For repairs to Coliseum	25,000.00

Total

311,00.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation herein above includes the appropriation made to said Fund as provided in Item III A (67).

(g) Shipping Point Inspection Fund:

There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases, all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(5) ALCOHOLIC BEVERAGE CONTROL BOARD:

(a) Administrative and Stores Division:

For the salary of the Administrator.....	22,729.00	
For other salaries	10,336,115.93	
For other expenses (Transportation cost for merchandise excluded) ..	3,342,074.00	
For equipment purchases.	223,043.00	
For automotive equip- ment purchases	5,000.00	
Awards for Convictions, estimated	1,000.00	
For transfer to State Personnel Department ..	36,750.00	
For transfer to Mental Health Department	375,000.00	
For transportation cost on merchandise, estimated .	490,193.00	
For transfer to Telephone Revolving Fund	11,340.00	14,843,244.93

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For salaries	1,520,060.00	
For other expenses	563,996.00	
For equipment purchases.	34,000.00	
For automotive equip- ment purchases	160,000.00	
Total		2,278,056.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses

Division:

For salaries	629,388.00
For other expenses	317,972.00
For equipment purchases.	4,500.00

Total

951,860.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION
FOR ARCHITECTS:

For salaries	10,000.00
For other expenses	22,000.00
For equipment purchases.	300.00

Total

32,300.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For salaries and other expenses	1,009,000.00
For equipment purchases.	10,000.00
For automotive equipment purchases	5,000.00
For Matching Federal Funds for the Construction and Renovations of Armories:	
Elba	80,000.00
Enterprise	193,000.00
Gadsden	160,000.00
Guntersville	114,000.00

Jacksonville	134,000.00	
Birmingham—Fort John C. Persons	250,000.00	
Luverne Armory	<u>75,000.00</u>	
Total		2,030,000.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories and construction as provided in Item III A(70)(d) in this Act. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission at the end of the fiscal year in excess of \$50,000.00 shall be transferred to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:

For salaries, other expenses, and equipment purchases	100,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Item III A(11) of the Act.

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated	537,000.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session.

(b) Bureau of Credit Unions:

For salaries	69,667.00	
For other expenses	28,115.00	
For equipment purchases.	<u>1,000.00</u>	
Total		98,782.00

The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For salaries	230,000.00	
For other expenses	65,000.00	
For equipment purchases.	<u>500.00</u>	
Total		295,500.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session.

(11) ALABAMA STATE BAR ASSOCIATION:

For salaries	100,000.00
For other expenses	135,000.00
For equipment purchases.	<u>500.00</u>

Total	235,500.00
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The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) ALABAMA BICENTENNIAL COMMISSION:

For salaries and expenses	30,000.00
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The above appropriation is payable out of the funds to the credit of the Alabama Bicentennial Commission Fund and shall also include the appropriation in Item III A (19).

(13) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries	3,000.00
For other expenses	<u>7,700.00</u>

Total	10,700.00
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The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(14) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For salary of the Director.	22,728.94
For other salaries	493,079.90
For other expenses	307,172.00
For equipment purchases.	8,000.00
For transfer to Personnel Department	17,010.00
For transfer to telephone revolving Fund	<u>7,560.00</u>

855,550.84

The above appropriations shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For salaries	2,953,643.00
For other expenses	1,384,363.00
For equipment purchases.	198,000.00
For automotive equipment purchases	232,140.00
For transfer to Con-	

servation Department— Administrative Account.	339,505.81	
For transfer to Telephone Revolving Fund.....	<u>7,380.00</u>	5,115,031.81
The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.		
(c) State Lands Division:		
1. For salaries	85,000.00	
For other expenses	30,000.00	
For equipment pur- chases	5,000.00	
For transfer to Con- servation Department— Administrative Ac- count	<u>14,000.00</u>	134,000.00
The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.		
2. In addition to the above appro- priation, there is also hereby appro- priated from the State Lands Di- vision Fund to the Lands Division for analyzing, cataloging and moni- toring mineral reserves and the development thereof on State lands including water and offshore areas . .		125,000.00
(d) Marine Police Division:		
For salaries	646,051.00	
For other expenses	274,000.00	
For equipment purchases.	90,000.00	
For automotive equip- ment purchases	70,000.00	
For transfer to Con- servation Department— Administrative Account.	<u>126,101.00</u>	
Total		1,206,152.00
The funds hereinabove are appropriated to the Marine Police Division of Marine Police Fund.		
(e) Marine Resources Di- vision:		
For salaries	360,000.00	
For other expenses	115,000.00	
For equipment purchases.	5,000.00	
For automotive equip- ment purchases	5,000.00	
For transfer to Con- servation Department— Administrative Account.	45,000.00	
For Gulf State Marine Fisheries Commission ...	<u>5,000.00</u>	
Total		535,000.00
In addition to the monies hereinabove appropriated, all monies derived from		

contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate. The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.

(f) State Parks Division:

For salaries, other expenses, equipment purchases, automotive equipment purchases, capital outlay and for transfer to Conservation-Administrative Account, Estimated

1,086,100.00

(Provided, however, of the amount appropriated hereinabove no less than \$100,000.00 shall be expended for operation and maintenance of Tannehill State Park.)

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund. The funds hereinabove appropriated shall include the appropriations made in Item III A (25) in this Act.

(15) STATE LICENSING
BOARD FOR GENERAL
CONTRACTORS:

For salaries	77,000.00
For other expenses	42,000.00
For equipment purchases.	7,800.00

Total

126,800.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(16) BOARD OF CORRECTIONS:

For the salary of the Commissioner.	23,866.00
For other salaries	5,203,655.00
For other expenses	3,100,000.00

For equipment purchases. . . .	150,000.00	
For automotive equipment purchases	100,000.00	
For Debt Service, estimated .	60,000.00	
For transfer to the State Personnel Department	21,560.00	8,659,081.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III A(26) of this Act. Provided, however, the Commissioner of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Board of Corrections. Any such grant funds so generated and in direct support of the Board of Corrections operations are also hereby appropriated.

(17) ALABAMA BOARD OF COSMETOLOGY:

For salaries	96,941.00	
For other expenses	85,000.00	
For equipment purchases. . . .	5,000.00	
For construction of building .	75,000.00	261,941.00

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(18) DAIRY COMMISSION:

For salaries	177,570.00	
For other expenses	100,000.00	
For cost study	20,000.00	
For equipment purchases. . . .	1,500.00	299,070.00

The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(19) ALABAMA DEVELOPMENT OFFICE:

For salaries, other expenses, equipment purchases, automotive equipment purchases, national advertising and industrial promotion and contracts, estimated	2,561,000.00
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The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (31) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(20) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department. 3,640.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(21) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For salaries 60,400.00

For other expenses 45,000.00

For investigations and court costs 15,000.00

For equipment purchases. 500.00

Total 120,900.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(22) ALABAMA ETHICS COMMISSION:

For operations of the Alabama Ethics Commission, estimated 136,000.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama Ethics Commission and shall include the appropriation herein made in Item III A (37) of this Act.

(23) FARMERS MARKET AUTHORITY:

For salaries 31,559.00

For other expenses 13,841.00

Total 45,400.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (39) of this Act.

(24) DEPARTMENT OF FINANCE:

Data Systems Management:

For operations of Data Systems Management. 150,000.00

The above appropriations shall be paid from the Data Systems Management Fund and shall include the appropriation herein made in Item III A (41) (e) of this Act.

(2) FIRE MARSHALL FUND:

For salaries 100,000.00

For other expenses 85,000.00

For equipment purchases. 2,500.00

Total 187,500.00

The above appropriations shall be paid from the Fire Marshall fund as provided in Act 1938, 1971 Regular Session.

(26) STATE FORESTRY COMMISSION:

For salaries	3,800,000.00	
For other expenses	902,065.00	
For equipment purchases. . .	150,000.00	
For automotive equipment purchases	73,755.00	
For transfer to State Personnel Department.	12,180.00	
For transfer to Tel. Revolving Fd.	19,440.00	4,957,440.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III A (43) of this Act. It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$500,000.00, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$793,000.00, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(27) STATE BOARD OF REGISTRATION FOR FORESTERS:

For other expenses	7,305.00	
For equipment purchases. . .	700.00	
Total		8,005.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(28) LICENSING BOARD FOR THE HEALING ARTS:

For salaries	46,318.00	
For other expenses	14,250.00	
For equipment purchases. . .	15,000.00	
Total		75,568.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(29) HEALTH DEPARTMENT:

(a) Health Department:

For salaries, other expenses, equipment purchases and transfers for County Health Work, estimated	1,656,785.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act. No. 654, 1965 Regular Session.

- (b) Health Department:
For salaries, other expenses, equipment purchases, and transfers for County Health Work, estimated 2,121,300.00

The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 275 1967 Regular Session.

- (c) County Health Work:
For salaries, other expenses, and equipment purchases, estimated 2,869,000.00

The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) and funds transferred in Item III C (29) (a) and Item III C (29) (b) in this Act. In addition to the above appropriation, and funds received for this work from the several counties or the Federal Government are hereby appropriated.

- (d) Ambulance Operators (Emergency Medical Services)
For salaries, other expenses and equipment purchases, estimated 55,650.00

The above appropriations are payable from the funds in the Emergency Medical Services Fund as provided in Act No. 1590, 1971 Regular Session and shall include any funds transferred to this account in Item III A (52) (a) of this Act.

- (e) Hearing Aid:
For salaries 2,867.00
For other expenses 9,150.00
For equipment purchases. 600.00
Total 12,617.00

The above appropriations are payable from the funds in the Hearing Aid Fund as provided in Act No. 2425, 1971 Regular Session.

- (f) Hospital Licensing:
For salaries and other expenses, estimated 37,500.00

The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall in

clude any funds transferred in Item III A (52) (a) in this Act.

- (g) Indigent Care:
For salaries and for distribution to counties, estimated. 337,442.00
The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.
- (h) Medicaid:
For the operation of the Medicaid Program. 50,600,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (52) (b) of this Act. In addition to the above appropriations, any and all funds received to the credit of the Medicaid Program from whatever source including all funds received from the Federal Government are hereby appropriated.
- (i) Bureau of Vital Statistics:
For salaries, other expenses and equipment purchases, estimated. 410,000.00
The above appropriations are payable from the funds in the Vital Statistics Fund and shall include any funds transferred to this account in Item III A (52) (a) of this Act.
- (j) Water Plant Operators Certifications:
For expenses and equipment purchases. 4,250.00
The above appropriations are payable from the funds in the Water Plant Operators Certifications Fund as provided in Act No. 1594, 1971 Regular Session.
- (k) Water Well Standards Board, Alabama:
For salaries, other expenses and equipment purchases. 48,933.00
The above appropriations are payable from the Water Well Standards Board Fund as provided in Act No. 1516, 1971 Regular Session.
- (30) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:
For salaries, other expenses, and equipment purchases. 75,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (54) of this Act. In addition to

the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(31) ALABAMA HISTORICAL COMMISSION:

For operations of the Alabama Historical Commission 144,720.00

The above appropriations shall be paid from the Alabama Historical Commission Fund transferred to this account in Item III A (55) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

(32) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the salary of the Director, estimated ... 22,694.00

For transfer to the State Personnel Department 35,420.00

For transfer to Telephone Revolving Fund.. 159,536.00

For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated. In addition to the amounts appropriated herein in Item III A (58) all such sums as the United States Government may make available therefor.

(33) STATE INSURANCE FUND:

For salaries 161,470.00

For other expenses 53,331.00

For equipment purchases.... 3,000.00

For automotive equipment purchases 5,000.00

Total 222,801.00

The above appropriations are payable from the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(34) LAW ENFORCEMENT FUND..... 10,000.00

The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such funds are limited to the amount appropriated herein.

(35) LIQUEFIED PETROLEUM GAS BOARD:

For salary of Director, estimated	18,018.00
For other salaries	35,582.00
For other expenses	17,000.00
For equipment purchases.	<u>1,000.00</u>
Total	

71,600.00

The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(36) BOARD OF NURSES' EXAMINERS AND REGISTRATION:

For salaries	123,270.00
For other expenses	95,000.00
For equipment purchases.	2,500.00
For automotive equipment purchases	<u>4,000.00</u>
Total	

224,770.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(37) BOARD OF NURSING HOME ADMINISTRATION:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated

23,600.00

The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(38) PEACE OFFICERS ANNUITY AND BENEFIT FUND, ALABAMA:

For salaries	81,321.00
For other expenses	39,200.00
For equipment purchases.	<u>3,000.00</u>
Total	

123,521.00

The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act No. 1210, 1971 Regular Session.

(39) PENSIONS:

(a) For Confederate Veterans and their widows:

Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(40) DEPARTMENT OF PENSIONS AND SECURITY:

For the salary of the Commissioner, estimated	22,694.00
For transfer to the State Personnel Department	106,120.00
For transfer to Tele. Revolving Fund	126,496.00
For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated. In addition to the amounts set out in Item III A (73), all Federal, State, County and Municipal Funds made available therefor.	

(41) PERSONNEL DEPARTMENT:

For the salary of the Director, estimated	22,605.25	
For other salaries	440,000.00	
For other expenses	145,244.75	
For equipment purchases.	17,150.00	
Total		625,000.00
The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.		

(42) BOARD OF EXAMINERS OF PSYCHOLOGY:

For salaries, other expenses, and equipment purchases, estimated	2,640.00
The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (79) of this Act.	

(43) BUREAU OF PUBLICITY AND INFORMATION:

For salaries	85,070.00	
For other expenses	79,600.00	
For equipment purchases.	4,000.00	
For automotive equipment purchases	5,000.00	
For advertising.	650,000.00	
Total		823,670.00
The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.		

(44) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds

mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(45) PUBLIC SERVICE COMMISSION:

For salary of the President and Two Associate Commissioners.....	62,085.00	
For other salaries	1,100,000.00	
For other expenses	329,000.00	
For equipment purchases....	20,000.00	
For automotive equipment purchases	30,000.00	
For transfer to telephone Rev. Fd.....	16,740.00	1,557,825.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of the fiscal year in excess of \$300,000.00 shall be transferred to the State General Fund.

(46) ALABAMA REAL ESTATE COMMISSION:

For salaries	125,000.00	
For other expenses	75,000.00	
For equipment purchases....	10,000.00	
Total		210,000.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(47) DEPARTMENT OF REVENUE:

Auto Title and Auto Theft Fund:

For expenses incident to the operations of the Auto Title and Auto Theft Act, estimated	500,000.00
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The above appropriation shall be paid from funds in the State Treasury to the credit of the Auto Title and Auto Theft Fund and shall include the appropriation made in Item III A (86) (b).

(48) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (86) (a) of this Act	1,201,096.54
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax Collections as part of the cost of operating said Department	124,416.37
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department ..	126,809.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Gasoline Tax Collections as part of the cost of operating said Department	832,632.66
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Income Tax Collections for the cost of collecting said tax	2,765,871.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Fuel Tax Collections as part of the cost of operating said Department	480,917.14
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections as part of the cost of operating said Department	486,898.70
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	148,342.60
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	367,267.57
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department	3,848,533.43
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Tobacco Tax Collections as part of the cost of operating said Department	793,154.39
There is hereby appropriated for transfer to	

Revenue Department, Administrative Account from the gross proceeds of the Utility Tax Collections as provided in Act No. 37, 1969 Special Session	247,636.44
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Use Tax Collections as part of the cost of operating said Department	379,230.68
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Cigarette Tax Collections Act 275, 1967 Regular Session as part of the cost of operating said Department	160,305.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags .	1,552,500.00

(49) DEPARTMENT OF REVENUE-ADMINISTRATIVE ACCOUNT:

For salary of Commissioner	22,728.94	
For other salaries	7,958,254.00	
For other expenses, estimated	2,497,600.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	22,000.00	
For transfer to State Personnel Department	24,780.00	
For transfer to Telephone Revolving Fund	29,160.00	
Total		10,584,522.94

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount, hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

(50) STATE BOARD OF REGISTRATION FOR SANITARIANS:

For salaries	1,200.00	
For other expenses	1,900.00	
Total		3,100.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, 1964 Second Special Session.

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(52) ALABAMA THERAPIST BOARD:

For expenses.....	6,700.00	
For equipment purchases....	200.00	
Total		6,900.00

The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.

(53) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries.....	100.00	
For other expenses.....	11,500.00	
For equipment purchases....	400.00	
Total		12,000.00

The above appropriations are payable from the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

(54) UNIVERSITY OF ALABAMA—BIRMINGHAM-MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated		15,000.00
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The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(55)(1) BOARD OF TRUSTEES OF UNIVERSITY OF ALABAMA:

(a) For the University of Alabama in Birmingham, for salaries, stipends and scholarships in Psychiatry; for the training of professional Mental Health personnel and psychiatric nurses, and state indigent mental patients.....		2,200,000.00
(b) Center for Learning disorders for Mental Retardation		100,000.00

(2) TO STATE MENTAL HEALTH DEPARTMENT:

(a) For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.....		32,122,872.46
Conditional upon the condition of the fund and upon the approval of the Governor.....		2,900,000.00

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|---|--------------|
| (b) For operation and maintenance of
Community Mental Health Pro-
grams | 6,650,000.00 |
| (3) For payment of principal and interest
due on bonds issued by the University
of Alabama pursuant to Constitutional
Amendment CXLI | 200,910.20 |
| (The appropriations hereinabove made
in Items 1, 2, 3 shall be paid from the
funds deposited in the State Treasury
to the credit of the Special Mental
Health Fund.) | |
| (4) STATE DEPARTMENT OF MENTAL
HEALTH: | |
| For transfer to the State Personnel
Department | 151,410.00 |
| For transfer to Telephone Revolving
Fund | 186,440.00 |
| For support, maintenance and capital
expenditures the several sums appro-
priated in Item 4 of sub-section (55)
and the amounts provided in Act
No. 654, 1965 Regular Session and Act
No. 275, 1967 Regular Session and the
Education Appropriation Bill are
hereby appropriated. Expenditures
to be made at the direction of the
Alabama Mental Health Board. | |
| (56) HIGHWAY DEPARTMENT: | |
| (1) There is hereby appropriated, for pay-
ment of the principal of and the in-
terest on all bonds heretofore or here-
after issued for public highway and
bridge purposes, or either, by the State
of Alabama, Alabama Highway
Authority, or Alabama Highway
Finance Corporation, so much as may
be necessary for payment of said
principal and interest at their re-
spective maturities, of the revenues
pledged for such payment. | |
| (2) There are also appropriated, out of the
revenues accruing to the State High-
way Department, the following sums
for the following purposes: | |
| (a) For transfer to the State Personnel
Department | 139,580.00 |
| (b) For the administration of the State
Highway Department for salaries
and other expenses | 5,600,000.00 |
| (c) For operation of the State Highway
Department, for salaries and other
expenses | 505,000.00 |

(d) For supervision of the State Highway Department, for salaries and other expenses	9,563,000.00
(e) For equipment purchases, Road Machinery and Equipment	7,000,000.00
(f) For Equipment Purchases—Other Equipment	500,000.00
(g) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses	31,334,991.50
(j) For the purchase or construction of land and building for the operation of the Highway Department	1,500,000.00
For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses, conditional upon the release of any of the conditional appropriations contained in Section 2, III, A (113) of this Act ..	3,000,000.00
(h) To establish a Revolving Fund for Inventories, Manufacturing, and clearing accounts	4,500,000.00
(i) For transfer to the Telephone Revolving Fund.	112,808.00
(3) There are also appropriated, out of the proceeds from the sale of bonds that may hereafter be issued for public highway and bridge purposes, or either, by the State of Alabama or by Alabama Highway Authority of the revenues accruing to the State Highway Department, the following sums for the following purposes:	
(a) For matching Federal Funds	39,000,000.00
(b) For construction of feeder roads and other portions of, or work in respect to, Federal Aid Projects for which portions or work Federal Matching Funds are not available	3,000,000.00
(c) For construction of roads and bridges for which no matching funds are available	7,607,845.50
The Highway Director with the consent of the Governor and the Budget Officer shall have the authority to transfer any appropriation or any portion thereof between and among sub-sections (a), (b), (c) of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available.	

- (4) In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable:
- (a) In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:
 - (1) the appropriations made in Section 1 hereof shall be paid in full:
 - (2) the appropriations made in Section 2 hereof shall be paid in full:
 - (3) the appropriations from the the revenues accruing to the Highway Department that are herein made for the purposes referred to in Section 3 hereof shall be allocated among the purposes referred to in the said Section 3 in such order and with such priorities as the State Highway Director shall from time to time direct; and
 - (5) The funds appropriated in Section 3 hereof, for the matching of Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purposes for which such appropriation was made.
 - (6) In addition to the appropriations hereinabove made there is hereby appropriated to the State Highway Department the funds accruing thereto from the so-called "Captive Counties" for road and bridge construction and maintenance, and for salaries, other expenses, equipment purchases, and automotive equipment purchases related thereto to be expended only for the benefit of the particular county or counties from which such revenues are derived.
 - (7) In addition to all appropriations hereinabove made, there is hereby appropriated to the State Highway Department all Federal funds accruing thereto to be expended only for the purposes

for which such funds are made available.

- (8) Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, the Lieutenant Governor, and each member of the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

(57) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

There are also appropriated, out of the revenues accruing to the Alabama Special Educational Trust Fund the following sums for the following purposes:

(1) UNIVERSITY OF ALABAMA — UNIVERSITY HOSPITAL & CLINICS:

For operation and maintenance 2,000,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Hospital and Clinics for patient care services.)

(2) UNIVERSITY OF SOUTH ALABAMA—UNIVERSITY MEDICAL CENTER:

For operation and maintenance 500,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Medical Center for patient care services.)

(3) STATE BOARD OF EDUCATION:

For transfer to State Department of Mental Health 19,000,000.00

(4) For Transfer to the State General Fund 9,600,000.00

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. There is hereby appropriated the following amounts which are anticipated to be received by the State of Alabama during the period October 1, 1975, through September 30, 1976, as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972.

A. Parks:	
For operation and maintenance of the Parks System.....	2,250,000.00
B. Mental Health.....	8,000,000.00
C. Transportation	15,000,000.00
D. Board of Corrections:	
For operations.....	5,000,000.00

E. Economic and Community Development	1,500,000.00
F. General Government.	2,205,972.00

The appropriations made in this sub-section shall not revert or lapse but shall remain available for the purposes for which the appropriations were made.

In the event that the amount of funds actually received is greater than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct the excess over the anticipated entitlement in such order and with such priorities as he deems proper.

In the event that the amount of funds actually received is less than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct such reductions in amounts herein appropriated as he deems proper.

Any unappropriated balances from the previous fiscal years or interest heretofore or hereafter earned from investments of funds received as grants or entitlement under the State and Local Fiscal Assistance Act of 1972, are hereby appropriated for such purpose or purposes as the Governor deems necessary.

Section 8. No funds appropriated herein may be expended for rent, leases, contracts, or purchases of data processing equipment or services or for rent for any office space on any contract, lease, purchase, or agreement made prior to September 30, 1975 for such items, unless approved or re-approved on or after October 1, 1975, by the Division of Data System Management and the Director of Finance.

Section 9. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 10. That all laws and parts of laws, general, special, private, or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 11. That this Act shall become effective October 1, 1975.

Which was adopted.

Yeas 33; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 33

Nays:

— 0

Mr. Flipppo offered the following amendment to the Bill, H. B. 490, as thus amended by the substitute, to-wit:

AMENDMENT TO H. B. 490, AS AMENDED

Amend H. B. 490 as amended by deleting the figures 2,540,000.00 on Page nine, Section 2, III, A (5) (a) line 32 and inserting in lieu thereof the figures 2,440,000.00.

Further amend H. B. 490 in Section 2, III, A (25) page 13, line 18 by striking the figures 1,400,000.00 and inserting in lieu thereof the figures 1,300,000.00.

Further amend H. B. 490 on Page 14, Section 2, III, A (31) line 10 by striking the figures 2,561,000.00 and inserting in lieu thereof the figures 1,561,000.00.

Further amend H. B. 490, Section 2, III, A (52) (a) line 22 Page 18 by striking the figures 8,677,912.00 and inserting in lieu thereof the figures 7,977,912.00.

Further amend H. B. 490 on Page 20, Section 2, III A (65) line 20 by striking the figures 715,000.00 and inserting in lieu thereof the figures 615,000.00.

Further amend H. B. 490 on Page 22, Section 2 III A (76) lines 18, 19, 20 and 21 by striking said sub-section in its entirety and renumbering all subsequent sub-sections.

Further amend H. B. 490 on Page 23, Section 2 III A (83) line 35 by striking the figures 3,682,000.00 and inserting in lieu thereof the figures 3,332,000.00.

Further amend H. B. 490 as amended in Section 2, III, C, (57) (3) page 73 in line 10 by adding immediately following the words "for transfer to State Department of Mental Health" the words "for operation of Partlow School"

Further amend H. B. 490 in Section 2, III, C, (57) (4) page 73, in line 13 by striking the figures 9,600,000.00 and inserting in lieu thereof the figure 5,000,000.00.

Mr. Owen moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 20.

Yeas:

Messrs. Adams, Foshee, Givhan, Jones, Little, McDonald (A), Mims, Noonan, Owen, Perloff, Perry, St. John, Torbert, Wilson.

— 14

Nays:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, King, Littleton, McDonald (S), McMillan, Mitchell, Pearson, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop.

— 20

And said amendment was then adopted by the Senate.

Yeas 22; Nays 9.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, King, Little, Littleton, McDonald (S), McMillan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

—22

Nays:

Messrs. Edwards, Foshee, Givhan, Jones, Mims, Noonan, Owen, Perloff, Torbert.

—9

Mr. Edwards offered the following amendment to the Bill, H. B. 490, as amended, to-wit:

AMENDMENT TO H. B. 490, AS AMENDED

Amend House Bill 490, as amended, by adding in Section 2, III, (31) the following:

“For transfer to the Alabama Development Office
for operation \$1,000,000.00”

and further amending on page 73, line 13, by striking out the figure “5,000,000.00” and inserting in its place the figure “\$6,000,000.00”.

Mr. Fine called for a division of the amendment, which request was granted.

On motion of Mr. Fine, the second portion of the above amendment was laid on the table.

Yeas 22; Nays 10.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

—22

Nays:

Messrs. Adams, Edwards, Foshee, Jones, McDonald (A), Noonan, Owen, Perloff, Torbert, Wilson.

—10

The question was then on the first portion of the above amendment, which was then lost.

Yeas 13; Nays 14.

Yeas:

Messrs. Adams, Edwards, Foshee, Givhan, Jones, Mims, Noonan, Perloff, Perry, Shelby, Stewart, Torbert, Wilson.

—13

Nays:

Messrs. Baker, Clemon, Flippo, Gilmore, King, McDonald (S), McMillan, Mitchell, Pearson, Powell, Roberts, St. John, Vacca, Waldrop.

— 14

Mr. Edwards then offered the following amendment to the Bill, H. B. 490, as amended, to-wit:

Amend House Bill No. 490 as amended, Section 2, III, (31) by inserting the following:

“For transfer to the Alabama Development Office
for operation \$1,000,000.00

(conditional upon the condition of the State Treasury and upon the approval of the Governor.)

Which was adopted.

Yeas 31; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 31

Nay: Mr. Baker.

— 1

Mr. Shelby offered the following amendment to the Bill, H. B. 490, as amended, to-wit:

AMENDMENT TO H. B. 490, AS AMENDED

Amend H. B. 490, as amended, by striking therefrom in Section I, Page 2, Line 29 the following figures; \$1,500,000

and substituting in lieu thereof the following:

\$2,500,000.00

Which was adopted.

Yeas 26; Nays 6.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Wilson.

— 26

Nays:

Messrs. Edwards, Foshee, Jones, Little, Owen, Waldrop.

— 6

Mr. Fine offered the following amendment to the Bill, H. B. 490, as amended, to-wit:

AMENDMENT TO HOUSE BILL 490, AS AMENDED

Amend House Bill 490, as amended, in Section 2, III (45) page 16 by deleting the figure on line 34 "180,000.00 and inserting in lieu thereof the figure "230,000.00".

Further amend the bill by striking on page 26 line 11 the figure "25,000.00" and inserting in lieu thereof the figure "50,000.00",

and further amend the bill by striking on page 28 line 23 the figure "50,000.00" and inserting in lieu thereof the figure "150,000.00",

Further amend the bill by adding on page 28 subsection (116) Interstate Mining Compact 4,500.00.

Further amend the bill by adding on page 28 subsection (117) Birmingham Festival of Arts 25,000.00.

Further amend the bill by adding on page 39 (7) immediately following "Luverne Armory 75,000.00" the words and figures: "(For construction of Luverne Armory 60,000.00 of the amount above and 15,000.00 for land acquisition.)"

Further amend the bill on page 8, (5) by striking the figure "78,666.00" and inserting in lieu thereof the figure "200,000.00".

Further amend the bill on page 9, (10) by striking the figure "25,000.00" and inserting in lieu thereof the figure "35,000.00".

Further amend the bill on page 19, (55) line 12 by striking the figure "144,720.00" and adding in lieu thereof the figure "264,720.00". and on page 54 (31) line 12, by striking the figure "144,720.00" and adding in lieu thereof the figure "264,720.00". (Of the amount above 85,000.00 shall be expended for the completion of Constitutional Hall at Huntsville and 35,000.00 for purchase and/or preservation of Steverson Depot in Jackson County, Alabama.

Further amend the bill on page 28, line 5 (110) by adding subsection (5) Big Nance Creek Watershed 2,500.00"

Further amend the bill on page 13, line 18, by striking the figure "1,400,000.00" and adding in lieu thereof the figure "1,500,000.00".

AMENDMENT TO H. B. 490, AS AMENDED

Further amend House Bill No. 490, as amended, on page 9, by inserting Section II (10), which reads as follows:

"For matching federal funds, if available, monies from any of the above appropriations (II, Judicial), regardless of whether they are also specified, may be used for this purpose."

Which was adopted.

Yeas 25; Nays 3.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo,

Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Powell, St. John, Shelby, Stewart, Vacca.

—25

Nays: Messrs. Jones, Torbert, Wilson.

—3

Mr. Adams, then offered the following amendment to the Bill, H. B. 490, as amended, to-wit:

AMENDMENT TO H. B. 490, AS AMENDED

House Bill 490, as amended, is hereby amended by inserting the following for page 11.

Total.....	275,000.00
(10) ARREST OF ABSCONDING FELONS:	
For expenses incident to the arrest of absconding felons, Estimated	2,000.00
(11) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:	
For transfer to the Council on the Arts and Humanities	100,000.00
(12) PAYMENT OF ATTORNEYS FEES IN INDIGENT CAPITAL CASES, ESTIMATED (As provided in Act No. 176, 1947 Acts, page 61)	37,500.00
(13) OFFICE OF THE ATTORNEY GENERAL:	
For the salary of the Attorney General.....	33,500.00
For the salary of the Deputy Attorney General	32,500.00
For the salary of the Executive Assistant, Estimated	26,130.00
For other salaries	825,000.00
For other expenses	160,000.00
For equipment purchases	6,000.00
For automotive equipment purchases.....	5,000.00
For special investigation as provided by Act No. 1080, 1969 Regular Session.....	15,000.00
Total.....	1,103,130.00
(For Matching Federal Funds, if available, \$60,000 from any of the above appropriations may be used for this purpose.)	
(14) OFFICE OF THE STATE AUDITOR:	
(a) For operation of the Department:	
For the salary of the State Auditor	22,970.00
For other salaries	160,000.00

On motion of Mr. Fine, said amendment was laid on the table.

Mr. Edwards offered the following amendment to the Bill, H. B. 490, as amended, to-wit:

AMENDMENT TO H. B. 490, AS AMENDED

Amend House Bill No. 490, as amended, Page 28 Line 17, by striking out the figure \$13,500,000.00 and inserting in its place \$9,800,000.00

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Vacca, Wilson.

—25

Nays:

—0

Mr. Flippo offered the following substitute for the Bill, H. B. 490, as amended, to-wit:

SUBSTITUTE FOR H. B. 490

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes: (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the

interest on the public debt, and for the public schools for the fiscal year ending September 30, 1976, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) EXPENSES OF THE LEGISLATURE:

(a) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature	1,500,000.00
(b) National Conference of State Legislators . . . (For the purpose of paying the State's share of the operation of the National Conference of the State Legislatures.)	22,500.00
(c) For the printing of Legislative Acts and Journals, Estimated.	125,000.00
(d) For Legislative Council expenses	50,000.00

(2) LEGISLATIVE REFERENCE SERVICE:

(a) For operation of the Department:	
For salary of the Director . . .	24,042.00
For other salaries	338,394.00
For other expenses	26,100.00
For equipment purchases.	<u>2,000.00</u>
Total	390,536.00
(b) Code Revision:	
For salaries and expenses, Estimated.	10,000.00

(3) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:

For salary of the Chief Examiner .	22,783.00
For salary of the Assistant Chief Examiners	21,502.00
For other salaries	1,700,715.00
For other expenses	395,000.00
For equipment purchases	5,000.00
Special Projects approved by the Legislative Audit Committee. . .	<u>50,000.00</u>
Total.	2,195,000.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and eight Associate Justices	301,500.00	
For the salary of the Clerk of Court, Estimated	26,130.00	
For the salary of the Marshal and Librarian, Estimated	26,130.00	
For the salary of Reporter of Decisions, Estimated	21,502.00	
For the salaries of Law Clerks, Estimated	110,214.00	
For other salaries	346,524.00	
For other expenses	75,000.00	
For equipment purchases	5,000.00	
For printing Alabama Reports, Estimated	13,000.00	
For Advisory Committee Work ..	5,000.00	
For Judicial Education	5,000.00	
Total		935,000.00
For the Supreme Court Library Fund		75,000.00

(2) COURT OF CRIMINAL APPEALS:

For the salaries of the Judges. . .	165,000.00	
For the salary of Clerk of Court, Estimated	26,130.00	
For the salaries of Law Clerks, Estimated	61,230.00	
For other salaries	112,125.00	
For other expenses	31,000.00	
For equipment purchases	5,000.00	
For printing Appellate Court Reports, Estimated	8,000.00	
Total		408,485.00

(3) COURT OF CIVIL APPEALS:

For the salaries of the Judges. . .	99,000.00	
For the salaries of Law Clerks, Estimated	36,738.00	
For the salary of Clerk of Court, Est.	26,130.00	
For other salaries	72,915.00	
For other expenses	21,000.00	
For rental of office space.	27,125.00	
For equipment and book purchases	1,000.00	
For printing Appellate Court Reports, Estimated	7,200.00	
Total		291,100.00

(4) THE CIRCUIT COURTS:

For the salaries of the Judges of the Circuit Courts, Estimated	2,450,000.00
For travel expenses of Circuit Judges, Estimated	25,000.00
For College of Trial Judges, as provided in Act No. 730, 1967 Regular Session	10,000.00

For telephone service, stationery, stamps, books, equipment purchases and necessary office supplies for the office use of Circuit Judges	50,000.00
For the salaries and travel expenses of special Judges, Estimated	15,000.00
For salaries of District Attorneys, Estimated	936,000.00
For salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	23,000.00
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00
For the salaries of the Second and Third Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputies District Attorneys of The Birmingham Division of the 10th Judicial Circuit: \$4,000.00 each	20,000.00
For the salary of the Deputy District Attorney of the 1st Judicial Circuit	3,600.00
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	24,000.00
For the salaries of the Deputies District Attorneys of the 6th Judicial Circuit	14,400.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	10,800.00
For the salaries of the Deputies District Attorneys of the 9th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 10th Judicial Circuit	22,000.00
For the salary of the Deputy District Attorney of the 11th Judicial Circuit	4,500.00
For the salaries of the Deputies	

District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00	
For the salary of the Assistant District Attorney of the 14th Judicial Circuit	7,200.00	
For the salaries of the Deputies District Attorneys of the 15th Judicial Circuit	38,600.00	
For the salaries of the Deputies District Attorneys of the 16th Judicial Circuit	6,000.00	
For the salaries of the Deputies District Attorneys of the 23rd Judicial Circuit	42,000.00	
For the salaries of the Deputies District Attorneys of the 26th Judicial Circuit	13,000.00	
For the salary of the Deputy District Attorney of the 27th Judicial Circuit	7,200.00	
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00	
For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit	4,200.00	
For the salary of the Deputy District Attorney for the 32nd Judicial Circuit	9,600.00	
For the salary of the Deputy District Attorney for the 38th Judicial Circuit	3,600.00	
For the travel expenses of the District Attorneys, Estimated..	40,000.00	
For the salary of the stenographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps and necessary office supplies for the office use of the District Attorneys, Deputy District Attorneys or Assistants (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	50,000.00	
For the salaries of the Public Defenders for the 21st Judicial Circuit, as provided by Act No. 1158, 1969 Regular Session. . . .	<u>24,000.00</u>	
Total.		1,385,125.00
For the salary and expenses of Supernumerary District Attorneys, Estimated.		125,737.00
(5) DEPARTMENT OF COURT MANAGEMENT:		
For transfer to the Department of Court Management Fund		200,000.00

(6) COURT REPORTERS:	
For the compensation of the Circuit Court Reporters, Estimated	350,000.00
For the compensation of the Supernumerary Circuit Court Reporters, Estimated	70,000.00
(7) SUPERNUMERARY JUDGES:	
For salaries of Supernumerary Judges and Justices, Estimated	275,000.00
For expenses of Supernumerary Judges and Justices, Estimated	35,000.00
(8) JUDICIAL INQUIRY COMMISSION	44,500.00
(9) JUDICIARY RETIREMENT FUNDS, ESTIMATED	885,000.00
(10) PERMANENT STUDY COMMISSION ON ALABAMA'S JUDICIAL SYSTEM	35,000.00
III. EXECUTIVE:	
A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:	
(1) ALABAMA ACADEMY OF HONOR.	1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 1965.)	
(2) STATE BOARD OF ADJUSTMENT:	
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343	15,000.00
(b) For expenditures by the Board payable from General Fund the provisions of Act No. 208, 1966 Special Session and Act No. 436, 1967 Regular Session, Estimated	100,000.00
(3) ADVERTISING LANDS FOR TAX SALE, ESTIMATED	14,000.00
(4) COMMISSION ON AGING—TRANSFER	150,000.00
(5) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:	
(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries.	2,540,000.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases	520,000.00
(c) For transfer to the Department of Agriculture and Industries to be expended by the Egg Inspection Division for salaries, other expenses and equipment purchases	53,000.00

(5a) COMMISSION ON INTERGOVERNMENTAL COOPERATION:	
For salaries, other expenses, equipment purchases, machine funds and other state reorganization expenses	145,000.00
(6) AGRICULTURE CENTER BOARD:	
(a) For transfer to the Agriculture Center Board for salaries and other expenses .	50,265.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session.....	90,000.00
(7) ALABAMA AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION	40,000.00
(8) APPALACHIAN REGIONAL DEVELOPMENT PROGRAM	150,000.00
(9) DEPARTMENT OF ARCHIVES AND HISTORY:	
For the salary of the Director	22,728.94
For other salaries	189,771.06
For other expenses	40,000.00
For equipment purchases. . . .	5,000.00
For expenses of printing of the Alabama Historical Quarterly	7,500.00
For expenses of printing of the Statistical Register	10,000.00
Total	275,000.00
(10) ARREST OF ABSCONDING FELONS:	
For expenses incident to the arrest of absconding felons, Estimated	2,000.00
(11) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:	
For transfer to the Council on the Arts and Humanities	100,000.00
(12) PAYMENT OF ATTORNEYS FEES IN INDIGENT CAPITAL CASES, ESTIMATED	
(As provided in Act No. 176, 1947 Acts, page 61)	37,500.00
(13) OFFICE OF THE ATTORNEY GENERAL:	
For the salary of the Attorney General	33,500.00
For the salary of the Deputy Attorney General	32,500.00
For the salary of the Executive Assistant, Estimated ..	26,130.00
For other salaries	825,000.00
For other expenses	100,000.00
For equipment purchases. . . .	6,000.00
For automotive equipment purchases	5,000.00

For special investigation as provided by Act No. 1080, 1969 Regular Session	15,000.00	
Total		1,103,130.00
(For Matching Federal Funds, if available, \$60,000 from any of the above appropriations may be used for this purpose.)		
(14) OFFICE OF THE STATE AUDITOR:		
(a) For operation of the Department:		
For the salary of the State Auditor	22,970.00	
For other salaries	160,000.00	
For other expenses	37,030.00	
For equipment purchases	5,000.00	
Total		225,000.00
(b) Office of the State Auditor—Property Inventory:		
For salaries	50,000.00	
For other expenses	9,150.00	
For equipment purchases	850.00	
Total		60,000.00
(15) AUTOMATIC APPEAL EXPENSE, ESTIMATED		3,000.00
Provided in 1943 Acts of Legislature, page 217.		
(15A) STATE BANKING DEPARTMENT:		
For transfer to the State Banking Department		113,000.00
(15B) BANKING DEPARTMENT—BUREAU OF LOANS:		
For transfer to the State Banking Department		140,000.00
(16) BICENTENNIAL COMMISSION, ALABAMA		55,000.00
(17) BUILDING COMMISSION:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		100,000.00
(18) CAHABA HISTORICAL COMMISSION		7,000.00
To provide for the expenditures, authorized by Act No. 486, 1943 Acts, page 449 and an additional amount.		
(19) ALABAMA WING OF CIVIL AIR PATROL		35,000.00
(20) CIVIL COURT COST IN CONNECTION WITH AD VALOREM TAX ASSESSMENTS APPEALS, ESTIMATED		100.00
(21) DEPARTMENT OF CIVIL DEFENSE:		
(a) For salaries, other expenses and equipment purchases		195,000.00

(b) For matching Federal Funds—Disaster Relief	215,000.00
(22) DEPARTMENT OF CONSERVATION:	
(a) For transfer to Department of Conservation—State Land Funds—For salaries, other expenses and equipment purchases for the State Lands Division	50,000.00
(b) For transfer to Conservation—State Parks Fund—For salaries, other expenses and equipment purchases for the State Parks Division.....	1,000,000.00
(23) BOARD OF CORRECTIONS:	
For transfer to Board of Corrections.	7,500,000.00
(24) COUNCIL OF STATE GOVERNMENTS ..	30,790.00
(25) COURT COSTS, ESTIMATED	250,000.00
To be paid by the State of Alabama pursuant to Act No. 558, 1957 Acts, page 777.	
(26) COURT COSTS, ESTIMATED	65,000.00
To be paid by the State of Alabama not otherwise provided for.	
(27) DEPARTMENTAL EMERGENCY FUND	150,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Alabama 1940 and shall be the only amount appropriated and the total amount expended under the provisions of said section.	
(28) ALABAMA DEVELOPMENT OFFICE:	
For transfer to Alabama Development Office for operations.	1,561,000.00
(29) ELECTION EXPENSES, ESTIMATED ..	900,000.00
(30) ELK RIVER DEVELOPMENT ASSOCIATION	5,000.00
(31) STATE EMPLOYEES INSURANCE.....	450,000.00
To pay the State's share of the State Employees Insurance Program, estimated.	
(32) STATE EMPLOYEES INSURANCE BOARD:	
For salaries	31,750.00
For other expenses	5,900.00
For equipment purchases.	350.00
Total	38,000.00
(33) EMPLOYEES' RETIREMENT FUND—STATE'S PART, ESTIMATED	3,300,000.00
(34) ETHICS COMMISSION, ALABAMA:	
For operations of the Alabama Ethics Commission	85,000.00
(35) FAIR TRIAL TAX—TRANSFER	100,000.00
To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.	

(36) FARMERS' MARKET AUTHORITY:	
For transfer to the Farmers' Market Authority for the operation of the Farmers' Market Authority.	53,000.00
(37) FEEDING OF PRISONERS:	
For expenses of feeding prisoners in county jails, Estimated	1,300,000.00
(38) DEPARTMENT OF FINANCE:	
(a) Director's Office:	
For the salary of the Director, Estimated	24,000.00
For the salary of the Assistant Director, Estimated	23,699.00
For other salaries	12,246.00
For other expenses	8,500.00
Total	68,445.00
(b) Division of the Budget:	
For salaries	157,400.00
For other expenses	16,600.00
For equipment purchases.	2,500.00
Total	176,500.00
(c) Division of Control and Accounts:	
For salaries	475,000.00
For other expenses	200,000.00
For equipment purchases.	5,000.00
Total	680,000.00
(d) Legal Division:	
For salaries	57,630.00
For other expenses	6,370.00
For equipment purchases.	1,000.00
Total	65,000.00
(e) Data Systems Management—Transfer.	150,000.00
(f) Data Systems Management Revolving Fund	450,000.00
(g) Division of Printing and Publications ..	50,000.00
(h) Division of Purchases and Stores:	
For salaries	284,500.00
For other expenses	35,000.00
For equipment purchases.	2,000.00
Total	321,500.00
(i) Division of Service:	
For salaries	732,000.00
For other expenses	330,000.00
For equipment purchases.	15,000.00
Total	1,077,000.00
(j) Space Management Operations	35,000.00
(39) MATCHING FEDERAL FUNDS NOT OTHERWISE PROVIDED FOR	50,000.00

(40) ALABAMA FORESTRY COMMISSION:		
For transfer to the Alabama Forestry Commission—For salaries, other expenses, equipment purchases and automotive equipment purchases		1,800,000.00
(41) FORT MORGAN HISTORICAL COMMISSION:		
For salaries	37,000.00	
For other expenses	20,000.00	
For equipment purchases.	<u>2,800.00</u>	
Total		59,800.00
(42) GEOLOGICAL SURVEY:		
For the salary of the State Geologist.	26,591.00	
For other salaries	350,000.00	
For other expenses	110,000.00	
For equipment purchases.	5,000.00	
For operation of new building	18,409.00	
For matching funds for investigation of water, mineral & energy resources of the State	230,000.00	
For test drilling	25,000.00	
For topographic Mapping	<u>25,000.00</u>	
Total		790,000.00
(43) GORGAS MEMORIAL BOARD.		9,500.00
To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383 and an additional amount.		
(44) THE GOVERNOR'S OFFICE:		
(a) For operation of the Department:		
For the salary of the Governor	28,955.00	
For the salary of the Executive Secretary.	22,729.00	
For the salary of the Legal Advisor	22,729.00	
For the salary of the Press Secretary	22,729.00	
For the salary of the Confidential Assistant.	22,729.00	
For other salaries	147,204.00	
For other expenses	105,000.00	
For printing Governor's State Budget, Est.	22,000.00	
For equipment purchases.	3,500.00	
For automotive equipment purchases	<u>8,000.00</u>	
Total.		405,575.00
(b) For the Governor's Emergency Fund, to be expended at the direction of the Governor		100,000.00

(c) For the Governor's Controlled Contingency Fund	60,000.00
(d) For Governor's Office— Consumer Agency:	
For salaries	119,000.00
For other expenses	40,000.00
For equipment purchases.	1,000.00
Total	160,000.00
(e) For the Mansion Fund	45,000.00
(f) For the Governor's Mansion at Gulf Shores	10,000.00
(g) Governor's Reorganization Committee.	25,000.00
(h) Governor's Committee for Fiscal Responsibilities	50,000.00
(45) EXPENSES OF GOVERNOR'S PROCLAMATION, ESTIMATED	75,000.00
(46) NATIONAL GOVERNOR'S CONFERENCE	8,500.00
(47) GOVERNOR'S RETIREMENT, ESTIMATED	9,000.00
(48) GOVERNOR'S WIDOWS RETIREMENT, ESTIMATED	14,400.00
(49) DEPARTMENT OF HEALTH:	
(a) For Air Pollution Control Commission: For salaries, other expenses and equipment purchases	375,000.00
(To be expended in accordance with Act No. 1135, 1969 Regular Session.)	
(b) For Medicaid: For transfer to the Medicaid Acct.	50,600,000.00
(c) For Water Improvement Commission: For salaries and other expenses	305,545.00
(d) For the following health programs, the priorities to be determined by the State Health Officer and the State Board of Public Health from among the following:	
(1) For study, care and treatment of cancer;	
(2) For Cancer Detection: For salaries, other expenses and equipment purchases;	
(3) For County Health Work: For transfer to the County Health Work Account;	
(4) For Dental Program: For salaries, other expenses, equipment purchases and county clinics;	
(5) For General Health: For salaries, other expenses and equipment purchases;	

(6) For Health Facilities Construction: For salaries and other expenses;	
(7) For Hospital Care of the Indigent: For transfer to the Hospital Care of the Indigent Account;	
(8) For Hospital Licensing: For transfer to the Hospital Licens- ing Account;	
(9) For Emergency Medical Services: For transfer to the Emergency Medical Services Fund;	
(10) For Preventable Diseases: For salaries, other expenses and purchases of vaccines and drugs;	
(11) For Radiation Control: For salaries, other expenses, and equipment purchases;	
(12) For Tuberculosis Testing: For salaries, other expenses, equip- ment purchases, automotive equip- ment purchases and for clinician and radiologist fees;	
(13) For Tuberculosis and Chronic Lung Disorders Treatment: For the care and treatment of patients with tuberculosis, chronic lung disorders or and other lung disorders in the several hospitals in the State;	
(14) For Venereal Disease Control: For salaries and other expenses;	7,694,367.00
(50) HELEN KELLER HOME: For operation and maintenance.	5,000.00
(51) OFFICE OF HIGHWAY AND TRAFFIC SAFETY: For transfer to Office of Highway and Traffic Safety	75,000.00
(52) ALABAMA HISTORICAL COM- MISSION: For transfer to Alabama Historical Com- mission	144,720.00
(53) HISTORIC CHATTAHOOCHEE COM- MISSION	74,650.00
(54) RICHMOND PEARSON HOBSON MEMORIAL BOARD	9,500.00
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount.	
(55) DEPARTMENT OF INDUSTRIAL RE- LATIONS: For salaries	389,400.00

For other expenses	70,000.00	
For equipment purchases . . .	1,000.00	
For automotive equipment purchases	<u>4,600.00</u>	
Total		465,000.00
(56) DEPARTMENT OF INSURANCE:		
For salary of the Director . . .	24,487.71	
For other salaries	399,512.29	
For other expenses	118,000.00	
For equipment purchases . . .	3,000.00	
For automotive equipment purchases	<u>5,000.00</u>	
Total		550,000.00
(57) INTERPRETER'S ACCOUNT, ESTIMATED		
(To carry out provisions of Act No. 799, 1965 Regular Session.)		100.00
(58) COURT OF JUDICIARY:		
For salaries	2,500.00	
For other expenses	4,150.00	
For equipment purchases . . .	<u>200.00</u>	
Total		6,850.00
(59) STATE LABOR DEPARTMENT:		
For salary of the Director . . .	22,729.00	
For other salaries	105,571.00	
For other expenses	26,200.00	
For equipment purchases . . .	<u>500.00</u>	
Total		155,000.00
(60) LAGRANGE HISTORICAL COMMISSION		
(To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540.)		2,500.00
(61) LAW ENFORCEMENT LEGAL DEFENSE, ESTIMATED		
(To carry out provisions of Act No. 259, 1957 Regular Session.)		2,000.00
(62) ALABAMA LAW ENFORCEMENT PLANNING AGENCY:		
(a) For matching Federal Funds		430,000.00
(b) Alabama Law Enforcement Planning Agency:		
For operation and maintenance of the law enforcement academy at John C. Calhoun Junior College		55,000.00
(c) Alabama Law Enforcement Planning Agency:		
For operation and maintenance of the law enforcement academy at Troy State University		55,000.00
(d) Alabama Law Enforcement Planning Agency:		

For operation and maintenance of the law enforcement academy at Jefferson State Junior College	55,000.00
(e) Alabama Law Enforcement Planning Agency:	
For operation and maintenance of the law enforcement academy at Jacksonville State University	55,000.00
(63) ALABAMA LAW INSTITUTE	125,000.00
(63B) LIVESTOCK COLISEUM:	
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum	80,000.00
(64) MAILING TAX NOTICES, ESTIMATED	7,500.00
(65) MENTAL HEALTH:	
For transfer to Special Mental Health Fund	14,500,000.00
(66) MILITARY DEPARTMENT:	
(a) For operation of the Department:	
For salary of the Adjutant General	22,729.00
For other salaries	528,271.00
For other expenses	110,000.00
For equipment purchases	4,000.00
Total	665,000.00
(66A) SOUTHERN INTERSTATE COMPACT .	1,500.00
(66B) ALABAMA HISTORICAL COMMISSION:	
(a) For completion of Constitution Hall at Huntsville	85,000.00
(b) For purchase and/or preservation of depot at Stevenson in Jackson County, Alabama	35,000.00
(b) For Quarterly Allowances:	
For Headquarters	5,000.00
For Regular Allowance to Units	363,500.00
Provided that not more than \$5,000 may be allotted in any fiscal year for the Headquarters, Alabama National Guard, and not more than \$1,500 may be allotted in any fiscal year for the Division Headquarters.	
(c) For Active Military Service—Active National Guard	100,000.00
(d) For transfer to the Armory Commission:	
For care and maintenance of armories . .	850,000.00
(67) OIL AND GAS BOARD:	
(a) Operations of Board:	
For salaries	419,500.00
For other expenses	100,000.00
For equipment purchases	5,000.00

For salaries, other expenses, equipment purchases and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields 40,000.00

Total 564,500.00

- (b) For the Oil and Gas Board to monitor offshore oil drilling 60,000.00

Provided, however, that none of such funds in Paragraph (b) shall be expended by the Oil and Gas Board for its use until such board has delivered proof in writing to the Governor that the following requirements have been met, to-wit:

- (1) Requirement by the Oil and Gas Board of the applicant for a drilling permit of proof that adequate equipment will be on hand in Mobile Bay to contain any spills.

- (2) That the Oil and Gas Board has commissioned a study, not to exceed \$25,000 in cost, to be made by a recognized independent research company on the subject of oil and gas exploration and production in Mobile Bay and adjacent waters in the Gulf of Mexico which said study shall have as its objective the recommendation of over-all guidelines for such oil and gas drilling, the same to be completed within six months of the date of this Act. The costs of same shall be paid out of this appropriation without being subject to the restrictions herein provided in this Section.

(68) BOARD OF PARDONS AND PAROLES:

For salaries of Board Members 63,321.00
For other salaries 1,471,679.00
For other expenses 150,000.00
For equipment purchases 9,000.00
For Federal matching Funds 50,000.00

Total 1,744,000.00

(69) DEPARTMENT OF PENSIONS AND SECURITY:

For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security 13,000,000.00

(70) PERSONNEL DEPARTMENT:

For transfer to the Personnel Department

for the payment of the State's General Fund share of the cost of operating the Department		109,760.00
(71) COMMISSION ON PHYSICAL FITNESS:		
For salaries	48,300.00	
For other expenses	13,200.00	
For equipment purchases.	<u>500.00</u>	
Total		62,000.00
(71A) ALABAMA FAIR AUTHORITY FOR SWINE PAVILION		150,000.00
(72) PRESIDENTIAL ELECTORAL EXPENSE, ESTIMATED		600.00
(73) PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES, ESTIMATED.		10,000.00
(74) BOARD OF EXAMINERS OF PSYCHOLOGY:		
For transfer to Board of Examiners of Psychology for operation		1,600.00
(75) BUREAU OF PUBLICITY AND INFORMATION:		
(a) For operation of the Department:		
For salary of the Director.	20,533.00	
For other salaries	58,467.00	
For other expenses	63,000.00	
For Mountain Lakes Association	25,000.00	
For equipment purchases.	1,000.00	
For Ave Maria Grotto ...	12,500.00	
For Blue and Gray Football Game	10,000.00	
For Gunter'sville Boat Races	9,500.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association	5,000.00	
For Mobile Junior Miss Pageant	25,000.00	
For National Peanut Festival Association	10,000.00	
For Spirit of America Festival, Inc.	5,000.00	
For Alonzo Stagb Bowl ..	5,000.00	
For Gulf Shores Tourist Assoc.	<u>15,000.00</u>	275,000.00
(b) Welcome Centers:		
For salaries	125,000.00	
For other expenses	35,000.00	
For Bureau's share in constructing and equipping Welcome Centers	<u>100,000.00</u>	
Total		260,000.00

(76) DISTRIBUTION OF PUBLIC DOCUMENTS, ESTIMATED	30,000.00
(76A) BIRMINGHAM ARTS FESTIVAL	25,000.00
(76B) CHILTON COUNTY PEACH FESTIVAL	5,000.00
(76C) PEA RIVER HISTORICAL & GENE- OLOGICAL SOCIETY OF ENTERPRISE	25,000.00
(76D) TALLAPOOSA MOUNTAIN LAKES	15,000.00
(77) DEPARTMENT OF PUBLIC SAFETY:	
For the salary of the Director	22,729.00
For other salaries	10,580,271.00
For other expenses	3,332,000.00
For Workman's Compensation Insurance, Estimated	140,000.00
For equipment purchases.	150,000.00
For automotive equipment purchases	750,000.00
Total	14,975,000.00
(78) REGISTRATION OF VOTERS, ESTIMATED	450,000.00
(79) REMOVAL OF PRISONERS:	
For expenses incident to removal of prisoners, Estimated	75,000.00
(80) DEPARTMENT OF REVENUE:	
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department	1,201,096.54
(b) For Auto Title and Auto Theft Fund ...	500,000.00
(c) Boards of Equalization:	
For salaries of the members and employees of the county boards of equalization	143,750.00
For other expenses	4,000.00
Total	147,750.00
(d) Equalization Fund	250,000.00
(This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)	
(81) OFFICE OF SECRETARY OF STATE:	
(a) For operation of the Department:	
For the salary of the Secretary of State	22,959.00
For other salaries	78,026.00
For other expenses	17,250.00
For equipment purchases.	2,500.00
Total	120,735.00
(b) Law Books Inventory:	
For salaries	9,000.00
For other expenses	4,000.00

For equipment purchases.	2,000.00	
Total		15,000.00
(c) Uniform Commercial		
Code:		
For salaries	56,000.00	
For other expenses	28,000.00	
For equipment purchases.	3,500.00	
Total		87,500.00
(82) SECURITIES COMMISSION:		
For salaries	104,000.00	
For other expenses	15,000.00	
For equipment purchases.	5,000.00	
Total		124,000.00
(83) STATE'S SHARE OF SOCIAL SECURITY, ESTIMATED		1,200,000.00
(84) SOCIAL SECURITY ADMINISTRATION:		
For salaries	115,000.00	
For other expenses	19,000.00	
For equipment purchases.	2,000.00	
Total		136,000.00
(85) SOIL CONSERVATION COMMITTEE:		
For salaries	40,650.00	
For other expenses	51,222.00	
For Watershed Planning Party & Soil & Water Conservation District	25,000.00	
For equipment purchases.	1,000.00	
Total		117,872.00
(86) SOUTHERN INTERSTATE NUCLEAR BOARD		9,000.00
(87) SPORTS HALL OF FAME BOARD		25,000.00
(To carry out provisions of Act No. 225, 1967 Regular Session.)		
(88) ALABAMA STEER SHOW ASSOCIATION		10,000.00
(89) TANNEHILL FURNACE AND FOUNDRY COMMISSION		50,000.00
(90) TENNESSEE RIVER DEVELOPMENT AUTHORITY		10,000.00
(91) TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY		120,000.00
(To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957.)		
(92) STATE TOXICOLOGIST:		
For the salary of the State Toxicologist	26,252.00	
For other salaries	420,748.00	
For other expenses	80,000.00	
For equipment purchases.	25,000.00	

For automotive equipment purchases	8,000.00	
For Matching Federal Funds.	60,000.00	
Total		620,000.00
(93) OFFICE OF THE STATE TREASURER:		
For the salary of the State Treasurer	22,959.00	
For other salaries	300,000.00	
For other expenses	75,000.00	
For equipment purchases.	12,000.00	
For vault equipment purchases	3,000.00	
Total		412,959.00
(94) STATE TREASURER—PREVIOUS YEAR UNPAID WARRANTS, ESTIMATED		50,000.00
(95) TRI-RIVERS DEVELOPMENT ASSOCIATION		30,000.00
(96) COMMISSION ON UNIFORM STATE LAWS		4,000.00
(Total amount appropriation by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Commission.)		
(97) DEPARTMENT OF VETERANS AFFAIRS:		
For the salary of the Service Commissioner	19,996.00	
For other salaries	1,186,995.00	
For other expenses	67,000.00	
For equipment purchases.	4,000.00	
For contract with Veterans of Foreign War Organization. .	36,000.00	
For contract with disabled American Veterans Organization	9,000.00	
Automotive Equipment Purchases	16,000.00	
Total		1,338,991.00
(98) NATIONAL VETERANS DAY COMMITTEE, BIRMINGHAM, ALABAMA .		3,000.00
(99) VETERANS DAY COMMISSION, ALABAMA		1,500.00
(100) VETERANS DAY COMMISSION, NATIONAL		1,500.00
(101) WATERSHED CONSERVANCY DISTRICTS:		
(1) Bear Creek Watershed Association		35,000.00
(2) Choccolocco Watershed		4,000.00
(3) Crooked Creek Watershed		2,500.00
(4) Ketchepedrakee Watershed		2,500.00

(5) Big Nance Creek Watershed.....	2,500.00
(102) FIRST WHITE HOUSE OF THE CONFEDERACY.....	11,500.00
(103) WOMEN'S COMMISSION, ALABAMA..	10,000.00
(103A) FOR LAND ACQUISITION AND CONSTRUCTION OF NATIONAL GUARD ARMORY AT LUVERNE	75,000.00
(104) COOSA-ALABAMA DEVELOPMENT AUTHORITY.....	12,500.00
(105) TRANSFER TO STATE DOCKS DEPARTMENT: For dredging and constructing the Theodore Ship Channel.	1,000,000.00
(106) TRANSFER TO TELEPHONE REVOLVING FUND	576,720.00
(107) TALLASSEE HATCHEE WATERSHED .	2,500.00
(108) TRANSFER TO STATE HIGHWAY DEPARTMENT	8,500,000.00
(109) TRANSFER TO THE STATE HIGHWAY DEPARTMENT (conditional upon condition of General Fund and approval by Governor).....	4,500,000.00

B. DEBT SERVICE:

(1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII.....	281,440.00
(2) For interest on Spanish American War Veterans Fund, Estimated	294.86
(3) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated	1,851,512.50
(4) For the payment of principal and interest on bonds issued by the State Parks Development Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated	771,495.00
(5) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV.....	227,480.00
(6) For the payment of principal and interest due on bonds issued for the Tennessee-Tombigbee Waterway pursuant to Constitutional Amendment No. CCLXX as provided by in Act No. 248, 1967 Regular Session, Estimated.....	438,445.00

C. FROM FUNDS OTHER THAN GENERAL FUND:

(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:

For salaries, other expenses and equipment purchases 105,000.00

In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.

(2) AERONAUTICS DEPARTMENT:

(a) For the salary of the		
Director, Estimated	22,729.00	
For other salaries	70,000.00	
For other expenses	40,079.00	
For equipment purchases.	1,000.00	
Total		133,808.06

(b) For State Aid to Airports—For Airports and Airmarkings	450,000.00
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The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(3) COMMISSION ON AGING:

For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts	150,000.00
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The above appropriation is payable from the funds transferred to this account in Item III A (4) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(4) AGRICULTURE AND INDUSTRIES:

(a) For the salary of the Commissioner	22,959.00
For other salaries	2,576,863.00
For other expenses	910,000.00
For equipment purchases.	80,000.00
For automotive equipment purchases	109,738.00

For transfer to State Personnel Department ..	10,990.00	
For transfer to Agriculture Center Board....	54,450.00	
For awarding prizes and premiums.....	20,000.00	
For transfer to telephone Revolving Fund.....	18,900.00	
Total.....		3,803,900.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in Item III A (5) (a). The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of the fiscal year shall be transferred to the State General Fund.

(b) Egg Inspection Division:		
For salaries	66,000.00	
For other expenses	14,550.00	
For equipment purchases.	1,000.00	
For automotive equipment purchases	11,000.00	
Total.....		92,550.00

The above appropriations are payable from funds in the Egg Inspection Fund and shall include the appropriations made to said fund in Item III A (5) (c).

(c) Meat and Poultry Inspection Division:		
For salaries	850,000.00	
For other expenses	215,000.00	
For equipment purchases.	4,000.00	
Total.....		1,069,000.00

The above appropriations are payable from the funds to the credit of the Meat and Poultry Inspection Fund and shall include the appropriation made herein in Item III A (5) (b).

(e) Agriculture Center Board:		
For salaries	30,036.00	
For other expenses	9,100.00	
For rental (Livestock Coliseum, Montgomery) .	54,450.00	
Total		99,586.00

The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in Item III A (6) (a) and Item III C (4) (a).

(f) Livestock Coliseum:		
For salaries	115,000.00	
For other expenses	105,000.00	
For equipment purchases .	6,000.00	
For repairs to Coliseum . .	25,000.00	
For resurfacing Coliseum		
Parking Lot	60,000.00	
Total		311,000.00

The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund.

- (g) Shipping Point Inspection Fund:
 There is hereby appropriated, out of receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956).
 For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases, all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities, (provided that automotive equipment purchases shall not exceed the sum of \$5,000.00).

(5) ALCOHOLIC BEVERAGE CONTROL BOARD:

- (a) Administrative and Stores Division:

For the salary of the Administrator.....	22,729.00	
For other salaries	10,336,115.93	
For other expenses (Transportation cost for merchandise excluded) ..	3,342,074.00	
For equipment purchases.	223,043.00	
For automotive equipment purchases	5,000.00	
Awards for Convictions, estimated.....	1,000.00	
For transfer to State Personnel Department ..	36,750.00	
For transfer to Mental Health Department.....	375,000.00	
For transfer to Education Department for Temperance Education.....	65,100.00	
For transportation cost on merchandise, estimated .	490,193.00	
For transfer to Telephone Revolving Fund.....	11,340.00	14,908,344.93

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For salaries	1,520,060.00
For other expenses	563,996.00
For equipment purchases.	34,000.00
For automotive equipment purchases	160,000.00

Total.....

2,278,056.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the

gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses

Division:

For salaries	629,388.00
For other expenses	317,972.00
For equipment purchases.	4,500.00

Total

951,860.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION FOR ARCHITECTS:

For salaries	10,000.00
For other expenses	22,000.00
For equipment purchases.	300.00

Total

32,300.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For salaries and other expenses	1,009,000.00
For equipment purchases.	10,000.00
For automotive equipment purchases	5,000.00

Total

1,024,000.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the

credit of the Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories.

Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:

For salaries, other expenses, and equipment purchases.	100,000.00
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The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Item III A (11) of this Act.

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated	537,000.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session.

(b) Bureau of Credit Unions:

For salaries	69,667.00
For other expenses	28,115.00
For equipment purchases.	1,000.00
Total.	98,782.00

The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For salaries	230,000.00
For other expenses	65,000.00
For equipment purchases.	500.00
Total	295,500.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session, approved November 6, 1959.

(11) ALABAMA STATE BAR ASSOCIATION:

For salaries	100,000.00
For other expenses	135,000.00
For equipment purchases.	500.00
Total	235,500.00

The above appropriation is payable out of the funds in the State Treasury to the

credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) ALABAMA BICENTENNIAL COMMISSION:

For salaries and expenses 30,000.00

The above appropriation is payable out of the funds to the credit of the Alabama Bicentennial Commission Fund and shall also include the appropriation in Item III A (16).

(13) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries 3,000.00

For other expenses 7,700.00

Total 10,700.00

The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.

(14) CONSERVATION DEPARTMENT:

(a) Administrative Division:

For salary of the Director. 22,728.94

For other salaries 493,079.90

For other expenses 307,172.00

For equipment purchases. 8,000.00

For transfer to Personnel Department 17,010.00

For transfer to telephone revolving Fund 7,560.00

855,550.84

The above appropriations shall be paid out of the Department of Conservation-Administrative Fund and includes the appropriations made to this Division as provided in this section.

(b) Game and Fish Division:

For salaries 2,953,643.00

For other expenses 1,384,363.00

For equipment purchases. 198,000.00

For automotive equipment purchases 232,140.00

For transfer to Conservation Department-Administrative Account. 339,505.81

For transfer to Telephone Revolving Fund 7,380.00

5,115,031.81

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(c) State Lands Division:

For salaries 85,000.00

For other expenses 30,000.00

For equipment purchases.	5,000.00
For transfer to Conservation Department-Administrative Account.	<u>14,000.00</u>

Total.....	134,000.00
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The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III A (22) (a) of this Act.

(d) Marine Police Division:

For salaries	646,051.00
For other expenses	274,000.00
For equipment purchases.	90,000.00
For automotive equipment purchases	70,000.00
For transfer to Conservation Department-Administrative Account.	<u>126,101.00</u>

Total.....	1,206,152.00
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The funds hereinabove appropriated to the Marine Police Division of Marine Police Fund.

(e) Marine Resources Division:

For salaries	360,000.00
For other expenses	115,000.00
For equipment purchases.	5,000.00
For automotive equipment purchases	5,000.00
For transfer to Conservation Department-Administrative Account.	45,000.00
For Gulf State Marine Fisheries Commission ...	<u>5,000.00</u>

Total.....	535,000.00
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In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate. The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.

(f) State Parks Division:

For salaries, other expenses, equipment purchases, automotive equipment purchases, and for transfer to Conservation-Administrative Account, Estimated

1,086,100.00

(Provided, however, of the amount appropriated hereinabove no less than \$100,000.00 shall be expended for operation and maintenance of Tannehill State Park.)

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund. The funds hereinabove appropriated shall include the appropriations made in Item III A (22) (b) in this Act.

(15) STATE LICENSING BOARD FOR GENERAL CONTRACTORS:

For salaries 67,255.00
For other expenses 29,980.00
For equipment purchases. ... 6,000.00

Total

103,235.00

In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors there is hereby appropriated such an amount as may be necessary to pay the refund of any application for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(16) BOARD OF CORRECTIONS:

For the salary of the Commissioner..... 23,866.00
For other salaries 5,203,655.00
For other expenses 3,100,000.00
For equipment purchases. ... 150,000.00
For automotive equipment purchases 100,000.00
For Debt Service, estimated . 60,000.00
For transfer to the State Personnel Department..... 21,560.00

Total

8,659,081.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III A (23) of this Act.

(17) ALABAMA BOARD OF COSMETOLOGY:

For salaries	96,941.00
For other expenses	85,000.00
For equipment purchases. . . .	5,000.00
For construction of building .	<u>75,000.00</u>

261,941.00

Total
 The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(18) DAIRY COMMISSION:

For salaries	177,570.00
For other expenses	100,000.00
For cost study	20,000.00
For equipment purchases. . .	<u>1,500.00</u>

299,070.00

Total
 The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(19) ALABAMA DEVELOPMENT OFFICE:

For salaries, other expenses, equipment purchases, automotive equipment purchases, national advertising and industrial promotion and contracts, estimated.

1,561,000.00

The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (28) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(20) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department

3,640.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(21) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For salaries	60,400.00
For other expenses	45,000.00
For investigations and court costs	15,000.00
For equipment purchases. . .	<u>500.00</u>

120,900.00

Total
 The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as pro-

vided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(22) ALABAMA ETHICS COMMISSION:

For operations of the Alabama Ethics Commission, estimated 85,000.00
 The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama Ethics Commission and shall include the appropriation herein made in Item III A (34) of this Act.

(23) FARMERS MARKET AUTHORITY:

For salaries 31,559.00
 For other expenses 13,841.00
Total 45,400.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (36) of this Act.

(24) DEPARTMENT OF FINANCE:

Data Systems Management:
 For operations of Data Systems Management 150,000.00

The above appropriations shall be paid from the Data Systems Management Fund and shall include the appropriation herein made in Item III A (38) (e) of this Act.

(25) FIRE MARSHALL FUND:

For salaries 100,000.00
 For other expenses 85,000.00
 For equipment purchases. 2,500.00
Total 187,500.00

The above appropriations shall be paid from the Fire Marshall fund as provided in Act 1938, 1971 Regular Session.

(26) STATE FORESTRY COMMISSION:

For salaries 3,800,000.00
 For other expenses 902,065.00
 For equipment purchases. 150,000.00
 For automotive equipment purchases 73,755.00
 For transfer to State Personnel Department 12,180.00
 For transfer to Tel. Revolving Fd. 19,440.00
4,957,440.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III A (40) of this Act. It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$500,000.00, then such excess is hereby appropriated. It is further pro-

vided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$793,000.00, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(27) STATE BOARD OF REGISTRATION
FOR FORESTERS:

For other expenses	7,305.00
For equipment purchases.	<u>700.00</u>

Total	8,005.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(28) LICENSING BOARD FOR THE HEAL-
ING ARTS:

For salaries	46,318.00
For other expenses	14,250.00
For equipment purchases.	<u>15,000.00</u>

Total	75,568.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(29) HEALTH DEPARTMENT:

(a) Health Department:

For salaries	897,785.00
For transfer to the County Health Work Account.	<u>759,000.00</u>

Total	1,656,785.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(b) Health Department:

For salaries	1,150,000.00
For other expenses	562,300.00
For equipment purchases.	25,000.00
For transfer to the County Health Work Account.	<u>384,000.00</u>

Total	2,121,300.00
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The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 275 1967 Regular Session.

- (c) **County Health Work:**
 For salaries, other expenses, and equipment purchases, estimated. 2,869,000.00
 The above appropriations are payable from the funds transferred to the Dept. of Health in Item III A (49) (d) and funds transferred in Item III C (29) (a) and Item III C (29) (b) in this Act. In addition to the above appropriation, and funds received for this work from the several counties or the Federal Government are hereby appropriated.
- (d) **Ambulance Operators**
 (Emergency Medical Services)
 For salaries 35,000.00
 For other expenses 20,150.00
 For equipment purchases. 500.00
Total. 55,650.00
 The above appropriations are payable from the funds in the Emergency Medical Services Fund as provided in Act No. 1590, 1971 Regular Session and shall include some portion of the appropriation transferred to the Dept. of Health in Item III A (49) (d) of this Act.
- (e) **Hearing Aid:**
 For salaries 2,867.00
 For other expenses 9,150.00
 For equipment purchases. 600.00
Total. 12,617.00
 The above appropriations are payable from the funds in the Hearing Aid Fund as provided in Act No. 2425, 1971 Regular Session.
- (f) **Hospital Licensing:**
 For salaries 31,500.00
 For other expenses 6,000.00
Total. 37,500.00
 The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include some portion of the appropriation made to the Dept. of Health as provided in Item III A (49) (d) in this Act.
- (g) **Indigent Care:**
 For salaries 16,029.00
 For distribution to counties, estimated 321,413.00
Total. 337,442.00

The above appropriations are payable from the funds transferred to the Dept. of Health in Item III A (49) (d) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.

(h) Medicaid:

For the operation of the Medicaid Program.....

50,600,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (49) (b) of this Act. In addition to the above appropriations, any and all funds received to the credit of the Medicaid Program from whatever source including all funds received from the Federal Government are hereby appropriated.

(i) Bureau of Vital Statistics:

For salaries 340,000.00

For other expenses 40,000.00

For equipment purchases. 30,000.00

Total.....

410,000.00

The above appropriations are payable from the funds in the Vital Statistics Fund and shall include some portion of the appropriation herein provided in Item III A (49) (d) of this Act.

(j) Water Plant Operators

Certifications:

For expenses 3,000.00

For equipment purchases. 1,250.00

Total.....

4,250.00

The above appropriations are payable from the funds in the Water Plant Operators Certifications Fund as provided in Act No. 1594, 1971 Regular Session.

(k) Water Well Standards

Board, Alabama:

For salaries 26,433.00

For other expenses 19,000.00

For equipment purchases. 3,500.00

Total.....

48,933.00

The above appropriations are payable from the Water Well Standards Board Fund as provided in Act No. 1516, 1971 Regular Session.

(30) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:

For salaries, other expenses, and equipment purchases

75,000.00

The above appropriations are payable from the funds transferred to this account in Item III A (51) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(31) ALABAMA HISTORICAL COMMISSION:

For operations of the Alabama Historical Commission 144,720.00

The above appropriations shall be paid from the Alabama Historical Commission Fund transferred to this account in Item III A (52) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.

(32) DEPARTMENT OF INDUSTRIAL RELATIONS:

For the salary of the Director, estimated ... 22,694.00

For transfer to the State Personnel Department 35,420.00

For transfer to Telephone Revolving Fund. . 159,536.00

For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and operations for which the United States Government may provide monies; there is hereby appropriated. In addition to the amounts appropriated herein in Item III A (55) all such sums as the United States Government may make available therefor.

(33) STATE INSURANCE FUND:

For salaries 161,470.00

For other expenses 53,331.00

For equipment purchases. 3,000.00

For automotive equipment purchases 5,000.00

Total 222,801.00

The above appropriations are payable from the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(34) LAW ENFORCEMENT FUND 10,000.00

The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such funds are limited to the amount appropriated herein.

(35) LIQUEFIED PETROLEUM GAS BOARD:

For salary of Director, estimated	18,018.00
For other salaries	35,582.00
For other expenses	17,000.00
For equipment purchases.	<u>1,000.00</u>

Total 71,600.00

The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(36) BOARD OF NURSES' EXAMINERS AND REGISTRATION:

For salaries	123,270.00
For other expenses	95,000.00
For equipment purchases.	2,500.00
For automotive equipment purchases	<u>4,000.00</u>

Total 224,770.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(37) BOARD OF NURSING HOME ADMINISTRATION:

For expenses incident to the operation and maintenance of the Board of Nursing Home Administration, estimated	23,600.00
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The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.

(38) PEACE OFFICERS ANNUITY AND BENEFIT FUND, ALABAMA:

For salaries	81,321.00
For other expenses	39,200.00
For equipment purchases.	<u>3,000.00</u>

Total 123,521.00

The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act No. 1210, 1971 Regular Session.

(39) PENSIONS:

(a) For Confederate Veterans and their widows:

Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.

(40) DEPARTMENT OF PENSIONS AND SECURITY:

For the salary of the Commissioner, estimated	22,694.00
For transfer to the State Personnel Department	106,120.00
For transfer to Tele. Revolving Fund	126,496.00
For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated. In addition to the amounts set out in Item III A (69), all Federal, State, County and Municipal Funds made available therefor.	

(41) PERSONNEL DEPARTMENT:

For the salary of the Director, estimated	22,605.25	
For other salaries	440,000.00	
For other expenses	145,244.75	
For equipment purchases.	17,150.00	
Total		625,000.00
The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.		

(42) BOARD OF EXAMINERS OF PSYCHOLOGY:

For salaries, other expenses, and equipment purchases, estimated	2,640.00
The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (74) of this Act.	

(43) BUREAU OF PUBLICITY AND INFORMATION:

For salaries	85,070.00	
For other expenses	79,600.00	
For equipment purchases.	4,000.00	
For automotive equipment purchases	5,000.00	
For advertising.	650,000.00	
Total		823,670.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(44) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds

mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(45) PUBLIC SERVICE COMMISSION:

For salary of the President and Two Associate Commissioners.....	62,085.00	
For other salaries.....	1,100,000.00	
For other expenses.....	329,000.00	
For equipment purchases....	20,000.00	
For automotive equipment purchases.....	30,000.00	
For transfer to telephone Rev. Fd.....	16,740.00	1,557,825.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of the fiscal year in excess of \$300,000.00 shall be transferred to the State General Fund.

(46) ALABAMA REAL ESTATE COMMISSION:

For salaries.....	125,000.00	
For other expenses.....	75,000.00	
For equipment purchases....	10,000.00	
Total		210,000.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(47) DEPARTMENT OF REVENUE:

Auto Title and Auto Theft Fund:		
For expenses incident to the operations of the Auto Title and Auto Theft Act, estimated		500,000.00
The above appropriation shall be paid from funds in the State Treasury to the credit of the Auto Title and Auto Theft Fund and shall include the appropriation made in Item III A (86) (b).		

(48) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (80) (a) of this Act	1,201,096.54
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax Collections as part of the cost of operating said Department.....	124,416.37
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department ..	126,809.00
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Gasoline Tax Collections as part of the cost of operating said Department	832,632.66
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Income Tax Collections for the cost of collecting said tax	2,765,871.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Fuel Tax Collections as part of the cost of operating said Department	480,917.14
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections as part of the cost of operating said Department	486,898.70
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	148,342.60
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	367,267.57
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department	3,848,533.43
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Tobacco Tax Collections as part of the cost of operating said Department	793,154.39

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Utility Tax Collections as provided in Act No. 37, 1969 Special Session	247,636.44
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Use Tax Collections as part of the cost of operating said Department	379,230.68
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Cigarette Tax Collections Act 275, 1967 Regular Session as part of the cost of operating said Department	160,305.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags .	1,552,500.00

(49) DEPARTMENT OF REVENUE-ADMINISTRATIVE ACCOUNT:

For salary of Commissioner ..	22,728.94	
For other salaries	7,958,254.00	
For other expenses, estimated	2,497,600.00	
For equipment purchases. . .	30,000.00	
For automotive equipment purchases	22,000.00	
For transfer to State Personnel Department	24,780.00	
For transfer to Telephone Revolving Fund	29,160.00	
Total		10,584,522.94

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount, hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

(50) STATE BOARD OF REGISTRATION FOR SANITARIANS:

For salaries	1,200.00	
For other expenses	1,900.00	
Total		3,100.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, 1964 Second Special Session.

(51) TEMPERANCE EDUCATION:

For salaries	50,000.00
For other expenses	<u>14,350.00</u>

Total	64,350.00
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The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(52) ALABAMA THERAPIST BOARD:

For expenses	6,700.00
For equipment purchases. ...	<u>200.00</u>

Total	6,900.00
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The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.

(53) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00
For other expenses	11,500.00
For equipment purchases. ...	<u>400.00</u>

Total	12,000.00
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The above appropriations are payable from the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

(54)(1) BOARD OF TRUSTEES OF UNIVERSITY OF ALABAMA:

For the University of Alabama in Birmingham, for salaries, stipends and scholarships in Psychiatry; for the training of professional Mental Health personnel and psychiatric nurses, and state indigent mental patients ...	2,000,000.00
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(2) TO STATE MENTAL HEALTH DEPARTMENT:

(a) For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.	36,622,872.46
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(b) For operation and maintenance of Community Mental Health Programs	6,650,000.00
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(3) For payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment CXLI	200,910.20
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(The appropriations hereinabove made in items 1, 2, 3 shall be paid from the funds deposited in the State Treasury

to the credit of the Special Mental Health Fund.)

(4) STATE DEPARTMENT OF MENTAL HEALTH:

For transfer to the State Personnel Department.....	151,410.00
For transfer to Telephone Revolving Fund.....	186,440.00
For support, maintenance and capital expenditures the several sums appropriated in Item 4 of sub-section (55) and the amounts provided in Act No. 654, 1965 Regular Session and Act No. 275, 1967 Regular Session, and the Education Appropriation Bill are hereby appropriated. Expenditures to be made at the direction of the Alabama Mental Health Board.	

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission, or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

(55) HIGHWAY DEPARTMENT:

- (1) There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highway and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, or Alabama Highway Finance Corporation, so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.
- (2) There are also appropriated, out of the revenues accruing to the State Highway Department, the following sums for the following purposes:
 - (a) For transfer to the State Personnel Department 139,580.00
 - (b) For the administration of the State Highway Department for salaries and other expenses..... 5,600,000.00

- | | |
|---|---------------|
| (c) For operation of the State Highway Department, for salaries and other expenses | 505,000.00 |
| (d) For supervision of the State Highway Department, for salaries and other expenses | 9,563,000.00 |
| (e) For equipment purchases, Road Machinery and Equipment | 7,000,000.00 |
| (f) For Equipment Purchases—Other Equipment | 500,000.00 |
| (g) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses | 29,500,000.00 |
| (h) To Establish a Revolving Fund for Inventories, Manufacturing, and clearing accounts | 4,500,000.00 |
| (conditional upon the condition of the General Fund and approval by the Governor) | |
| (i) For the purchase or construction of land and building for the operation of the Highway Department | 2,334,991.50 |
| (3) There are also appropriated, out of the proceeds from the sale of bonds that may hereafter be issued for public highway and bridge purposes, or either, by the State of Alabama or by Alabama Highway Authority of the revenues accruing to the State Highway Department, the following sums for the following purposes: | |
| (a) For matching Federal Funds | 39,000,000.00 |
| (b) For construction of feeder roads and other portions of, or work in respect to, Federal Aid Projects for which portions or work Federal Matching Funds are not available | 3,000,000.00 |
| (c) For construction of roads and bridges for which no matching funds are available | 7,607,845.50 |
| The Highway Director with the consent of the Governor and the Budget Officer shall have the authority to transfer any appropriation or any portion thereof between and among subsections (a), (b), (c), of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available. | |
| (4) In the event that there shall not be sufficient funds available for payment | |

of all appropriations hereinabove made, the following provisions shall be applicable:

- (a) In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:
 - (1) the appropriations made in Section 1 hereof shall be paid in full:
 - (2) the appropriations made in Section 2 hereof shall be paid in full:
 - (3) the appropriations from the revenues accruing to the Highway Department that are herein made for the purposes referred to in Section 3 hereof shall be allocated among the purposes referred to in the said Section 3 in such order and with such priorities as the State Highway Director shall from time to time direct; and
- (5) The funds appropriated in Section 3 hereof, for the matching of Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purposes for which such appropriation was made.
- (6) In addition to the appropriations hereinabove made there is hereby appropriated to the State Highway Department the funds accruing thereto from the so-called "Captive Counties" for road and bridge construction and maintenance, and for salaries, other expenses, equipment purchases, and automotive equipment purchases related thereto to be expended only for the benefit of the particular county or counties from which such revenues are derived.
- (7) In addition to all appropriations hereinabove made, there is hereby appropriated to the State Highway Department all Federal funds accruing thereto to be expended only for the purposes for which such funds are made available.
- (8) Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, the Lieutenant Governor, and each member of

the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

(56) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

There are also appropriated, out of the revenues accruing to the Alabama Special Educational Trust Fund the following sums for the following purposes:

(1) UNIVERSITY OF ALABAMA—
UNIVERSITY HOSPITAL &
CLINICS:

For operation and maintenance 2,000,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Hospital and Clinics for patient care services.)

(2) UNIVERSITY OF SOUTH ALA-
BAMA—UNIVERSITY MEDICAL
CENTER:

For operation and maintenance 500,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Medical Center for patient care services.)

(3) STATE BOARD OF EDUCATION:

For transfer to State Department of Mental Health to be expended by the State Department of Mental Health for the operation of the Partlow State School. 19,000,000.00

(4) PUBLIC LIBRARY SERVICE
DIVISION

For salaries 114,000.00
For other expenses 28,000.00
For books and periodicals 36,000.00

Total 178,000.00

(5) YOUTH SERVICES BOARD TRANS-
FER

350,000.00

(6) SOUTHERN REGIONAL EDUCATION BOARD.....	8,000.00
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Section 4. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. There is hereby appropriated the following amounts which are anticipated to be received by the State of Alabama during the period October 1, 1975, through September 30, 1976, as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972.

A. Parks:	
For operation and maintenance of the Parks System.....	2,250,000.00
B. Mental Health.....	8,000,000.00
C. Transportation.....	15,000,000.00
D. Board of Corrections:	
For operations.....	5,000,000.00
For Capital Outlay.....	2,000,000.00
E. Economic and Community Development.....	1,500,000.00
F. General Government.....	205,972.00

The appropriations made in this sub-section shall not revert or lapse but shall remain available for the purposes for which the appropriations were made.

In the event that the amount of funds actually received is greater than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct the excess over the anticipated entitlement in such order and with such priorities as he deems proper.

In the event that the amount of funds actually received is less than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct such reductions in amounts herein appropriated as he deems proper.

Any unappropriated balances from the previous fiscal years or interest heretofore or hereafter earned from investments of funds received as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, are hereby appropriated for such purpose or purposes as the Governor deems necessary.

Section 8. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 9. That all laws and parts of laws, general, special, private or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 10. That this Act shall become effective October 1, 1975.

On motion of Mr. Owen, said substitute was laid on the table.

Yeas 23; Nays 10.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Shelby, Stewart, Wilson.

—23

Nays:

Messrs. Baker, Ellis, Flippo, King, Little, McDonald (A), Roberts, St. John, Torbert, Waldrop.

—10

And said Bill, H. B. 490, as amended, was then read a third time at length and passed.

Yeas 27; Nays 5.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Vacca, Wilson.

—27

Nays: Messrs. Baker, Flippo, St. John, Torbert, Waldrop.

—5

Mr. Foshee moved that the Senate reconsider the vote by which the Bill, H. B. 490, as amended, was passed, and further moved that the motion to reconsider be laid on the table. The motion to table prevailed.

ADJOURNMENT

At 11:05 P.M., on motion of Mr. Foshee, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, September 25, 1975, at 10 o'clock A.M.

THIRTY-THIRD LEGISLATIVE DAY

THURSDAY, SEPTEMBER 25, 1975

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Louis Suffredini, St. Peter's Catholic Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 34

JOURNAL

On motion of Mr. Fine, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-Second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

E. C. FOSHEE,
Chairman.

COMMITTEE REPORT

On motion of Mr. Foshee, the foregoing report was concurred in and the Journal of the Senate for the Thirty-Second Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Fine, leave of absence was granted Mr. Weaver for today.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 245. Providing for the coverage of the employees of all counties and certain municipalities under the provisions of the Workmen's Compensation Law; and for this purpose amending the Code of Alabama 1940, Title 26, Section 263.

Also:

S. J. R. 104. Mourning the death of City Clerk W. Francis Pearson.

Also:

S. J. R. 105. Mourning the death of Mr. Lewis Cooper, Jr.

Also:

S. J. R. 109. Mourning the death of Mrs. Edna Betty Udell.

Also:

S. J. R. 123. Mourning the death of Wilson Baker.

Also:

S. 430. To amend the Code of Alabama 1940, Title 12, Section 115 relating to claims against the County so as to remove the requirement that claims be sworn to.

Also:

S. 450. Requiring the owners of livestock who brand their livestock to register such brands with the Department of Agriculture and Industries, and to provide for the transfer and re-registration of such registered brands; to prescribe fees to be paid therefor; to require the Department of Agriculture and Industries to furnish copies of registered brands to livestock markets, sheriffs and other law enforcement personnel for tracing, locating and determining ownership of lost, estrayed or stolen livestock; imposing certain duties relating to record keeping of the receipt, sale and handling of livestock upon livestock markets, slaughterers, livestock dealers and livestock hide dealers concerning the identity of livestock; to authorize the State Board of Agriculture and Industries to adopt rules and regulations to carry out the provisions of this act; to

prescribe penalties for violations of the provisions of this Act; to provide for the effective date hereof, and the repeal of laws in conflict with this Act.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

SPECIAL ORDER BILLS POSTPONED

On motion of Mr. Fine, further consideration of the remaining Bills on the current Special Order (S. R. 129), said Bills being H. B.'s 489, 271, 476, 488, 457 and 584, was postponed until the next Legislative Day.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 140. Resolved by the Senate, That the following bills shall be the paramount and continuing order of business, immediately upon adoption of this resolution, taking precedence over all other business, for the 33rd legislative day only:

All uncontested local bills as they appear on the calendar, on this legislative day, and the following general bills:

Bill No.	Page No.	Description
H. B. 76	133	Warehouses
H. B. 1426	152	Names bridge
H. B. 1230	149	Names bridge
H. B. 1568	167	Unemployment compensation
H. B. 1601	167	Extension service
H. B. 638	153	Small businesses
H. B. 64	161	CB radios
H. B. 63	218	Retirement
H. B. 658	223	Oil and Gas Board
H. B. 531	142	Campus police officers
H. B. 537	222	State policemen
H. B. 603	117	Asst. D.A.—Montgomery
H. B. 500	136	State Employees
H. B. 1707	220	Medical clinic boards

H. B. 87	100	City recorders
H. B. 367	106	Paint sales
H. B. 39	44	Department of Labor
H. B. 517	74	Local governments—Ins.
H. B. 1022	97	State-owned vehicles
H. B. 442	58	Conservation Dept.
H. B. 665	137	Conservation Dept.
H. B. 43	133	State employees retirement
H. B. 192	49	Insurance Department
H. B. 948	214	Banking
H. B. 1493	157	Names bridge
H. B. 143	177	Clergymen
H. B. 571	79	Probate Judges
H. B.		Labor relations
H. B. 316	145	Investment of funds
H. B. 113	102	Absentee voting
H. B. 507	25	Houston County
H. B. 1472	83	Houston County
H. B. 475	222	State vehicles—tags
H. B. 92	53	Banks
H. B. 852	221	Legislators
H. B. 851	217	Legislators
H. B. 336	221	Retirement
H. B. 337	222	Retirement
H. B. 821	145	State Personnel Board
H. B. 390	151	Legislative Journals
H. B. 66	177	State law enforcement office
H. B. 1529	166	Dept. of Agriculture
H. B. 119	109	Hunting
H. B. 230	112	Good Neighbor Commission
H. B. 556	150	Secretary of State
H. B. 225	99	Ala. Comm Code
H. B. 396	111	Dept. of Education
H. B. 1194	214	Issuance of bonds

H. B. 180	115	Dept. of Conservation
H. B. 713	120	Alabama State
H. B. 88	148	Bid Laws
H. B. 949	215	Banking
H. B. 1323	165	Dept. of Industrial Relations
H. B. 572	175	Local Government
H. B. 775	57	Trucks
H. B. 463	110	Commercial fishing gear
H. B. 176	42	Rename center
H. B. 1450	177	Criminal proceedings

On motion of Mr. Foshee, said Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake and Sparks:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

Also:

By Mr. Drake:

H. 672. To amend Sections 3 and 6 of Act 566, Regular Session of the Legislature, 1969 (Acts of Alabama 1969, Volume II, p. 1046), as amended by Act 1125, Regular Session of the Legislature, 1973 (Acts of Alabama 1973, Volume IV, p. 1893), the title of which original act is "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts, in Equity, in the various counties of the state of Alabama having a population of less than 600,000 population, according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office, and providing for the payment of their salaries," and providing for an increase in the annual salary percentage, and by increasing the minimum and maximum salary allowed for such supernumerary officials; but the minimum and maximum salary shall apply only to those officials qualifying for supernumerary status after the effective date of this act and providing for an additional period of election to become eligible to be covered under the provisions of the act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 616 and 672. To the Committee on Rules.

REPORTS OF COMMITTEES

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Turnham and Teague (With Amendment):

H. 289. To appropriate such funds necessary to The Alabama Postsecondary 1202 Commission in order to develop a comprehensive student assistance program and to qualify the State of Alabama for federal assistance under Title IV.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Crowe, Sparks, Robertson, Moore (O) and Naramore:

H. 1586. To amend Sections 1, 2, 3, 4, 5, 6, 13, 13½, 14, 15, 16, 18, 19, 20, 24, 25, 28, 29, 33, 35, 39, 41, 42, 44, 49, 50, 52, 55, 57, 62, 69, 72, 73, 74, 75, 76, 78, 79, 80, 81, 82, 83, 84, 85, 87, 89, 90, 92, 93 and 106 of Act No. 207, S. 134, Regular Session 1949 (Acts 1949, p. 242), as amended, the Act known as the "Alabama Coal Mine Safety Law of 1949", so as to further provide for the health and safety of persons engaged in the mining of coal; for the qualifications and duties of mine inspectors; for the regulation and inspection of underground coal mines in accordance with modern mining practices; for equipment and ventilation standards in order to promote health and safety; for the safe design, maintenance and use of mechanical and electrical equipment; for required first aid and safety equipment; for the establishment of operating procedures to promote mining health and safety.

By Mr. McCulley, et al:

H. 1565. To amend further Section 3 of Act No. 1, H. 46, Regular Session 1945 (Acts of 1945, p. 3), as amended, now appearing in Title 26, Section 179 (26), Code of Alabama, Recompiled 1958, so as to increase the number of members of the state gas and oil board to seven, and to provide that two of the members must be voting residents of the first congressional district and one member must be voting residents of the seventh congressional district.

By Messrs. Armstrong, Hilliard, Ford and Glass:

H. 318. To further amend Section 4, Title 12, Code of Alabama 1940, as amended, so as to provide that a savings and loan association, organized either under the laws of the State of Alabama or of the United States, may be appointed as a depository for county funds.

By Messrs. Sandusky, Crowe, Biddle and Sonnier:

H. 498. Relating to State Government administration; abolishing the Fort Morgan Historical Commission and transferring to the Department of Conservation and Natural Resources, Division of State Parks all the powers and duties of said Commission and further

transferring all assets, materials, supplies and employees to the said Division of State Parks; to provide for the expenditure of funds for the operation and maintenance of said facility. To abolish the offices of Secretary and Historian and Assistant Secretary, Fort Morgan Historical Commission; to specifically repeal all portions of Act Number 204, Acts of Alabama 1955, p. 497, as amended, which conflict with the provisions of this Act.

By Mr. Moore (W), et al:

H. 1208. Relating to individual income taxation; providing further for deductions from gross income for state income tax purposes.

By Mr. Hill:

H. 94. Proposing an amendment to the Constitution of Alabama relating to the travel expenses to be paid members of the legislature.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Crowe, Carter and Biddle:

H. 963. To amend the title and Section 1, of Act No. 1281, S. 579, Regular Session 1973 (Acts 1973, p. 2194) authorizing the governing bodies of the several Counties of the State to pay all expenses incurred by the Tax Assessors, Tax Collectors, Circuit Clerks and Registers or other like official by membership in their State organization so as to include Probate Judges.

By Mr. Owens:

H. 1815. To amend Act No. 276, S. 170, 1971 Third Special Session (Acts of 1971, p. 4543) [now appearing in Code of Alabama, Recompiled 1958, Title 23, Section 64(17)-64(35)] amending Sections III, IV, VI, VII, XII, and XIII of such act known as the "Highway Beautification Act—Outdoor Advertising"; so as to provide control of outdoor advertising signs outside of an urban area beyond 660 feet of the right-of-way of interstate or primary highway systems; to provide for Court proceedings, evidentiary matters and procedures; to provide for just compensation for removal of such signs and to provide penalties for violations.

By Mr. Smith (J):

H. 1790. To amend Section 8, Act No. 42, H. 207, Regular Session 1971 (Acts 1971, p. 279), relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$30,000,000 and to increase the years of maturity from not exceeding 30 to not exceeding 40 years.

By Mr. Biddle:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee

to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

By Mr. Carter:

H. 1562. To amend Act No. 168, H. 270, Special Session 1966 (Acts 1966, p. 190), which act creates the Alabama Historical Commission, so as to provide further for the employment by the said commission of certain personnel.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hill:

H. 912. To amend Section 2, as amended, Section 3, as amended, Section 4, Section 7, Section 8, as amended, and Section 16 of Act No. 865, H. 138, 1961 Regular Session (Acts of 1961, p. 1349, now appearing in Code of Alabama, Recompiled 1958, Title 46, Sections 331, 332, 333, 336, 337, and 345), relating to the formation of unincorporated associations for the purpose of rendering professional service; so as to further regulate such associations.

By Mr. Manley:

H. 1846. To amend Act No. 1265, H. 360, Regular Session 1971 (Acts 1971, p. 2194), which act pertains to the legal possession of certain quantities of alcoholic beverages in certain places, so as to provide further for those places in which such beverages can be legally possessed.

By Messrs. Armstrong, Hill, Malone, Whatley, Kinsey, Hall and Gregg:

H. 752. To amend Code of Alabama 1940, Title 15, Section 100 and 104 which provided for the issuance and execution of search warrants by a local magistrate, based on probable cause, so as to provide for the issuance to and the execution of such search warrants by any officer of the Alabama Bureau of Investigation or any officer of the Intelligence Unit of the Department of Public Safety, as well as the sheriff or constable.

By Messrs. Hines and Cooper:

H. 636. To provide for review of the sentence of an offender when the punishment for that crime of which such offender was convicted is reduced.

By Mr. Higginbotham, et al:

H. 352. To regulate the solicitation of advertisement by any person, firm, corporation, State or Federal Peace Officers Association for any Peace Officers Magazine or Journal, to provide penalties for violation of this Act.

By Mr. Baker, et al:

H. 1267. To amend Section 5, as amended, and Section 6 of Act No. 107, S. 2, 1965 first special session (Acts of 1965, special session, volume one, p. 132, now appearing in Code of Alabama, Recompiled 1958, Title 50, Sections 82 and 83), relating to the incorporation in any county in the State of Alabama of a Water Authority, as a public corporation for the purpose of furnishing water service and fire protection service; so as to regulate further the membership of the board of directors.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owens (With Amendment):

H. 1365. Relating to ambulances; to provide that it shall be a misdemeanor for any person to summon an ambulance when it is not needed or to obtain or receive ambulance services without intending to pay for such services; to prescribe rules and procedures relative to the prosecution of such violations; to prescribe penalties for conviction of such violations; to authorize any county or municipality to use public funds to contract for ambulance service under certain conditions and to repeal all conflicting statutes.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Folmar:

H. 1509. To amend further Section 91 of Title 36, Code of Alabama (1940), which authorizes the Director of the Highway Department to issue special permits for movement of certain oversized and overweight vehicles and loads on the State highway system and to collect fees for the issuance of such permits.

Mr. Pearson, Chairman of the Standing Committee on Conservation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waggoner (With Amendment):

H. 484. To amend Title 8, Section 39, Code of Alabama 1940, as amended, pertaining to annual non-resident fishing licenses, so as to require said license if a non-resident desires to fish in any fresh water, whether public or private, in this state, increasing its cost from \$5.00 to \$10.50; to amend Title 8, Section 40, Code of Alabama 1940, as amended, pertaining to non-resident trip fishing licenses, so as to require a non-resident to have said license in order to fish in any fresh water, whether public or private, in this State, increasing its cost from \$2.00 to \$3.50; and to amend Title 8, Section 41, Code of Alabama 1940, as amended, pertaining to the penalty for fishing without a license, so as to make it unlawful to fish in any water in this state without the appropriate license.

Mr. Pearson, Chairman of the Standing Committee on Conservation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Owens:

H. 706. To amend Act No. 751, Acts of Alabama, 1965 Regular Session, relating to the cost of purchasing non-resident hunting licenses.

Mr. Pearson, Chairman of the Standing Committee on Conservation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Smith (B), Carter and Starkey (With Amendment):

H. 1406. To amend further Section 38 of Title 8 Code of Alabama of 1940, relating to the manner and method of obtaining state and county fishing licenses so as to increase the fees for such licenses.

By Messrs. McMillan, Whatley, Starkey, Campbell and Smith (M) (With Amendment):

H. 1477. To amend the title and Section 1 of Acts of Alabama Regular Session 1971 (Acts 1971, vol. IV, p. 2629), relating to state and county hunting licenses so as to increase the fees for such licenses.

Mr. McDonald (S), Chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. White, et al (With Amendment):

H. 523. To amend Act No. 298, H. 32, 1959 Regular Session (Acts 1959, p. 871; now appearing in Code of Alabama Recompiled 1958, Title 52, Section 103 (1)), relative to election of county superintendents of education to provide that no person residing outside the jurisdiction of such superintendent shall vote in the elections thereof, except in certain counties; it repeals Act No. 38, H. 53, 1969 Special Session (Acts of 1969, p. 95; now appearing in the Code of Alabama Recompiled 1958, as Title 52, Section 103 (2)).

By Mr. White, et al (With Amendment):

H. 524. To amend Title 52, Section 63, Code of Alabama 1940, so as to provide that except in certain counties only those qualified voters residing in the area served by the school board members shall be eligible to vote in the election of the members of that school board.

Mr. McDonald (S), Chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sasser, et al:

H. 987. To provide an educational incentive allowance for state troopers who have completed educational requirements at junior colleges, colleges, or universities.

By Mr. Carter, et al:

H. 173. To amend Title 52, Section 8, Code of Alabama, 1940, by removing the prohibition of former educators serving as members of the state board of education within five years after the termination of their services as educators.

By Mr. Johnson:

H. 409. To amend Sections 433 (17), 433 (18), 433 (19), and 433 (34), Title 52, Code of Alabama, Recompiled 1958, so as to include kindergartens under the purview of the State Courses of Study Committee; to require that the State Textbook Committee select only materials that are applicable to the approved Course of Study; to expand the State Textbook Committee and that up to 30% of the Textbook allocation may be spent for readiness materials and for non-consumable supplementary materials.

By Messrs. Robertson, Owens, Carter, Sparks, Folmar and Johnson:

H. 410. To provide that a school teacher or public employee employed by a public school system, the State Board of Education, the State Department of Education, State Senior Colleges and Universities, State Junior Colleges, State Vocational Technical Schools, the Alabama Commission of Higher Education and the Alabama Education Study Commission or any other State educational institution or agency, shall continue to draw his full salary for a certain period when incapacitated as a direct result of an on-the-job injury; to provide that payment of such benefits shall not exhaust his accumulated sick leave and to authorize standards for carrying out the provisions of this Act.

By Messrs. McCluskey, Dial and Edwards:

H. 222. To provide that the boards of Alabama Institute for Deaf and Blind, Alabama Boys Industrial School, Alabama Girls Industrial School, and the Industrial School at Mt. Meigs shall grant personal leave to teachers.

By Mr. Rich:

H. 1378. Providing that school bus drivers shall have up to 5 days of paid sick leave per year.

Mr. Bank, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Starkey, et al:

H. 600. Relating to the profession and practice of optometry; defining the practice and profession of optometry; providing for the licensing, examination, and regulation of optometrists; abolishing the State Board of Optometry; creating the Alabama Board of Optometry, and prescribing its powers, duties and authority; providing for the

issuance of temporary licenses, limited licenses, licenses, license certificates and annual registration certificates, and prescribing the qualifications of persons to practice optometry; providing for the collection and disbursement of examination and other fees and charges; authorizing the Alabama Board of Optometry to examine applicants for licenses and license certificates, and to issue and deny licenses, and to conduct hearings and to initiate legal proceedings to impose sanctions against licensees for violating the provisions of this act; and providing for the enforcement of the act and prescribing penalties for violations thereof; repealing Chapter 11 of Title 46, Code of Alabama (1940) and any other laws which conflict with this act.

By Messrs. Sonnier and Owens:

H. 1433. To regulate and promote the public health and to bring the laws of Alabama into conformity with PL-93-641, the "National Health Planning and Resources Development Act of 1974" (42 USC 300-k, et. seq.); designate the State Board of Health as the state health planning and development agency; authorizes the State Board of Health to develop and adopt a State Health Plan and a State Medical Facilities Plan, and do such functions that may be necessary to that purpose and to facilitate state health planning policy, augment areawide and State planning for health services, manpower, and facilities; authorizes the State Board of Health to administer the State's health care facility construction and development program; to promulgate and adopt rules, regulations and standards for the health planning and health care facilities construction and development programs. Part 1 of the Act designates the State Board of Health as the sole and official state planning and development agency; authorizes the State Board of Health to establish such internal bureaus and divisions, with professional staffs, as may be necessary to carry out the Act; and, authorizes and empowers the State Board of Health to adopt rules, regulations and standards governing health planning and health care facility construction, and to provide for fair hearings. Part 2 designates the State Board of Health as the sole and official state agency to prepare and adopt a State Health Plan; establishes and sets forth the membership and powers of a Statewide Health Coordinating Council; defines the functions of Health Services Agencies; authorizes the cooperation of the state officials and agencies; and authorizes the State Board of Health to receive and administer funds for health planning. Part 3 names the State Board of Health as the sole and official state agency to receive and administer funds for the health care facilities construction program; authorizes the State Board of Health to prepare and adopt a Medical Facilities Plan; authorizes the construction and operation of public hospitals and health centers; authorizes the State Board of Health to receive federal, state and other funds for hospital construction and to contract for health care facilities construction; authorizes the acquisition and disposition of property.

By Mr. Falkenburg, et al:

H. 122. Further amending Code of Alabama 1940, Title 22, Section 40, 42 relating to Vital Statistics, providing for equitable fees for service to county registration districts and state registration district in conformity with surrounding states.

Mr. Fine, Chairman of the Standing Committee on Banking, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Crowe:

H. 1764. To amend Section 46 of Act No. 414, Acts of Alabama of 1959, page 1073, known as the "Alabama Business Corporation Act," by adding at the end of the second paragraph thereof the following: "Provided, however, if a corporation is engaged in the business of banking, its books and records of account and minutes relating to the private financial affairs of borrowers and depositors shall not be subject to examination by such a stockholder or by his agent or attorney in the absence of an order of a court of competent jurisdiction, after inspection of such books and records of account and minutes in camera, that such examination is necessary; and said order shall be subject to review in the Supreme Court of Alabama on writ of mandamus. Provided further that if a corporation is engaged in the business of banking, its said books and records of account and minutes shall be deemed not to include any reports of examination by state or federal supervisory agencies"; to provide that the provisions of this act are severable; and to provide an effective date.

Mr. Mitchell, Chairman of the Standing Committee on Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Wilson:

S. 1248. To prohibit any insurance company from employing a scheme or plan to force claimants from accepting less than the amount due them; to provide penalties for violation of the Act.

By Mr. Wyatt, et al:

H. 191. To establish a pension fund for Alabama fire fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of said board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards in fire protected areas, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Mr. Mims, Chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Mitchem, et al:

H. 413. Relating to livestock dealers, the annual permit required of such dealers, bills of sale required and removal of the prohibition of the sale of livestock at night: to amend Section 385, as amended, and Section 386 of Title 2 of the Code of Alabama of 1940, relating to livestock dealers, the annual permit required and the fee required therefor, bills of sale and bills of lading required thereunder; and to repeal Section 387 of Title 2 of the Code of Alabama of 1940 which prohibits the sale of livestock after sunset or before sunrise.

By Mr. Mitchem, et al:

H. 416. Relating to the payment by the State of Alabama of compensation to surviving dependents of certain peace officers and firemen killed in the line of duty to redefine the term "peace officer": to further amend Section 1 of Act No. 208, S. 34, (Acts of Alabama, 1966 Special Session, page 256), which Act provides for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers or certain firemen killed in the course of employment, said Section of said Act being last amended by Act No. 1130, S. 482, Legislature of 1969, (Acts of 1969, Vol. III, p. 2094); to further define the term "peace officer" as used in said Act No. 208, Legislature of 1966, Sepcial Session, as amended, to include "livestock theft investigators" of the Department of Agriculture and Industries as "peace officers".

By Messrs. Mitchem and Whatley:

H. 549. Relating to persons engaged in the business of weighing for hire, known as weighmasters: to amend Section 630 of Title 2, Code of Alabama 1940, to increase the annual permit fee required to be paid to the Commissioner of Agriculture and Industries by persons engaged in the business of weighing for hire and designated as weighmaster; increase said fee to ten dollars; to prescribe the effective date of this Act.

By Mr. Mitchem:

H. 550. Relating to persons engaged in the business of buying and selling livestock required to be licensed and bonded; to amend Section 3 of Act No. 568, S. 201, Legislature of 1969, approved August 29, 1969 (Acts of 1969, Vol. II, p. 1049) by requiring persons engaged in the business of buying and selling livestock as a livestock dealer to pay an annual license fee of \$20.00; to provide for the effective date of this Act.

By Messrs. Mitchem, Carothers, Smith (C), Smith (M), and Kelley:

H. 1684. Relating to the sale of agricultural liming materials; to regulate the manufacture, sale and distribution of agricultural lime or liming materials by requiring such manufacturers, distributors or sellers thereof to obtain an annual permit from the Commissioner of Agriculture and Industries, prescribing the fee therefor; requiring such product to be labeled; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; to levy an inspection fee upon agricultural liming materials based upon the sale thereof; providing for the assessment and payment of monetary penalties where agricultural liming materials are deficient pursuant to standards or requirements as fixed by the State Board of Agriculture and Industries; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 22 of Chapter 1 of Title 2 of the Code of Alabama of 1940.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pearson, McMillan, Clemon and Vacca (With Amendments):

S. 1257. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Jolly:

H. 60. Relating to counties having populations of 600,000 or more according to the most recent federal decennial census; to regulate further the taking of fish from public streams and impounded waters in such counties except in municipal parks; authorizing the taking of non-game fish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties for violation of this act.

By Mr. Boles, et al:

H. 801. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

By Mr. Waggoner (with notice and proof):

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

By Messrs. Howard and Armstrong:

H. 1738. To provide for an expense allowance for the president of the board of commissioners and each associate commissioner of the board of any city having a population of not less than 32,000 nor more than 34,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fine (with notice and proof):

S. 1261. Relating to Marion County, Alabama, providing for a secretary for the courts of such county, prescribing the means of appointment and removal, the duties and compensation therefor.

By Mr. Johnson:

H. 1837. Relating to counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; providing for the salaries of the chairman and associate members of the civil service boards of such counties and repealing all conflicting laws.

By Messrs. Clark and Manley:

H. 1841. Relating to all counties having populations of 10,660 or less according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as herein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

By Messrs. Crawford and Sasser:

H. 1688. Relating to counties having a population of not less than 22,250 nor more than 23,000 inhabitants according to the most recent federal decennial census; to provide that no claim presented to the county commission need be sworn to and that no testimony need be presented as to whether any part of such claim has been previously paid.

By Mr. Teague (with notice and proof):

H. 1711. To permit banks now or hereinafter situated in the City of Childersburg in Talladega County to establish, maintain and operate branch banks and branch offices within the limits of said city for the conduct of a general banking and trust business; and to repeal conflicting laws.

By Mr. Dial:

H. 1842. Relating to all counties having populations of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; authorizing the county governing body to hire deputy sheriffs, subject to available county funding for such purposes.

By Mr. Dial:

H. 1843. Relating to all counties having a population of not less than 10,900, nor more than 11,500 inhabitants according to the most recent federal decennial census; authorizing the governing bodies to establish within any such county or in any municipality located within any such county ambulance service on a non-profit basis; further authorizing any such county to join with any one or more municipality within the county in the establishment of such ambulance service; providing the

manner and procedure for establishing the same; authorizing appropriations of public funds and charging certain fees for such service; and exempting from tort liability any such county and municipality while operating ambulances or providing ambulance service as authorized herein.

By Messrs. Kelley and Mitchem (with notice and proof):

H. 1845. To create a 12 member Board to serve as a County Wide Rural Sanitation Board, for Marshall County, Alabama to assist in obtaining sewage treatment and disposal facilities for said County.

By Mr. Cates:

H. 1851. Relating to all counties of not less than 22,000 population nor more than 22,500 population according to the most recent federal census, fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

By Messrs. Hines and Warren (with notice and proof):

H. 1852. Relating to Escambia County; to give the members of the county commission an additional monthly expense allowance.

By Mr. Smith (M):

H. 1863. Relating to all counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; authorizing the taking of non-game fish by the use of wire mesh baskets, thread hoop nets, or wooden baskets, and prescribing a license tax therefor and prescribing penalties for violations of the act.

By Mr. Crowe:

H. 1875. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

By Messrs. Kinsey and McMillan:

H. 1876. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, and to provide an effective date.

By Mr. McCulley:

H. 1898. Proposing an amendment to the constitution of Alabama relating to placing the probate judge, the tax assessor, the tax collector, and the circuit clerk of Washington County on a salary basis of compensation.

The above Bill was read a second time at length as required by the Constitution.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan, et al (With Amendments):

H. 743. To be known as the Alabama Alcoholic Beverage Control Act; to regulate and control the manufacture, purchase, bottling, sale, distribution, transportation, handling, advertising, possession, dispensing and drinking and use of alcoholic beverages; to establish an alcoholic beverage control board to regulate and control transactions in alcoholic beverages which take place in Alabama and to prohibit such transactions, except by and under the control of the board; to restrict the effect of the Act to wet counties and wet municipalities; to define and provide for the administration, functions, duties, powers and regulations of, and for receipt, disposition and use of profits of, the board; to provide for the appointment, term of office, suspension, removal, compensation, cost and expense of such board and its members, officers, agents and employees, and its administrator; to provide for the management and operation of and sales by liquor stores; to create an ABC working capital fund and to provide for use thereof; to create an ABC revolving fund from stores fund and to provide for use thereof; to authorize licensing to engage in alcoholic beverage transactions, and provide for application for, and issuance and renewal of, and regulation of the grant of licenses; to impose, levy and authorize state, county and municipal license fees for engaging in manufacture, warehousing, wholesale, or retail sale of alcoholic beverages; to prescribe penalties, including suspension or revocation of licenses and fines against licensees, for violation of laws relating to manufacture, sale, possession or transportation of alcoholic beverages; to provide for sale and possession of draft or keg beer; to prohibit interlocking businesses and interest; to proscribe unlawful acts and offenses and provide for punishment therefor; to prescribe penalties for any violation of the Act or any rule or regulation promulgated by board and to provide punishment and alternate punishment therefor; to provide for supervision of sales and distributions of alcoholic beverages and the collection of licenses and taxes levied by the Act; to impose and levy a tax on sale of beer of 5¢ for each twelve fluid ounces or fraction and to impose and levy a tax on table wine of \$.95 per fluid gallon or 25-1/10¢ per liter, and provide for the collection and distribution thereof; to impose and levy tax on the sale of liquor at the rate of 28% upon the selling price and provide for the collection and distribution of the proceeds thereof; to provide for inspections of manufacturers or distributors and to levy inspection fees; to provide for non-taxable sales; to provide for execution for unpaid taxes or penalties; to authorize stamps, crowns, and lids and prescribe time and method of affixing and distribution thereof; to provide report of drop shipments; to provide for sales and reports by wholesalers; to provide for the report or

receiving or bringing into state beverages not having stamps, crowns or lids affixed; to provide for keeping and preservation of records concerning receipts, storage, sale and handling of alcoholic beverages and prescribe punishment for failure to comply; to require statements from and examination of record of carriers transporting alcoholic beverages; to provide for the confiscation and disposition of goods and articles declared to be contraband; to enforce the payment of taxes by inspection and to prescribe penalties for interfering with inspection; to prescribe penalties for failing to affix stamps and to permit a trial by jury; to prescribe penalties for fraud in the use or re-use of stamps, crowns or lids, for counterfeiting of stamps, crowns or lids and illegal possession of unattached revenue stamps, crowns or lids; to provide for election to determine classification of county as wet or dry county; to provide for special method referendum to determine classification of county as wet or dry county and to impose conditions governing sales under special method referendum; to provide for election to determine whether draft or keg beer may be sold or dispensed within a wet county; to provide for refund on overpayment or erroneous payment on taxes of licenses to board; to repeal all laws or parts in conflict herewith or insofar as inconsistent herewith; to amend Act No. 863, Acts of Alabama 1973 (p. 1351), Acts No. 1053, Acts of Alabama 1973 (p. 1688), and Act No. 1054, Acts of Alabama 1973 (p. 1693), to amend Title 29, Chapter 3, Code of Alabama 1940, and all acts amendatory thereof, supplementary thereto or substituted therefor to make the same consistent with the provisions of this Act.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Pearson, Wilson, McMillan, Givhan, Clemon, Shelby and Ellis
(With Substitute):

S. 325. To provide for a scholarship program for medical education; to repeal Act No. 278 adopted at the First Special Session of 1965 of the Legislature of Alabama and making an appropriation therefor.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Fine:

S. 774. For the relief of Continental Telephone Company; making an appropriation from the state treasury to compensate such company for telephone service furnished for the district attorney of the Twenty-fourth Judicial Circuit in prior years.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sandusky, Sonnier, Callahan and Cooper (With Amendment):

H. 203. To provide for the appointment of assistant district attorneys in the Thirteenth Judicial Circuit and for a graduated schedule of

compensation for assistant district attorneys in the Thirteenth Judicial Circuit and to repeal Code of Alabama 1940, Title 13, Section 254 and all amendments thereto.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill, et al:

H. 334. To authorize the sale and issuance of not exceeding \$9,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring, constructing, equipping and improving mental health facilities, including security medical facilities for persons requiring security during treatment, and a seed technology center and a seed processing facility; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds therefrom.

By Mr. Merrill, et al:

H. 335. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding a total of \$9,000,000 principal amount of General Obligation Bonds of the State of Alabama of which \$7,000,000 shall be for the acquisition, construction, equipment and improvement of mental health facilities, including security medical facilities for persons requiring security during treatment, and \$2,000,000 shall be for the acquisition, construction, equipment and improvement of a seed technology center and a seed processing facility.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Smith (J), Crawford, Carothers, Sasser and Williams:

H. 443. To make an appropriation to the use of the Southeast Choctawhatchee River Watershed Association.

By Mr. Folmar, et al:

H. 767. To provide for a users fee to be paid by each registered land surveyor and professional engineer and to deposit said fees in the State Treasury to the credit of the Land Surveys Fund; to provide for the expenditure of said monies; and to make an appropriation.

By Messrs. Cooper, Johnstone, Malone, Sandusky, LeFlore, McNees and Naramore:

H. 942. To make an appropriation to the State Department of Finance, Division of Service, for construction of shelters for security personnel employed at state parking lots.

By Messrs. Crowe, Carter and Biddle:

H. 962. To make a supplemental appropriation to the State Agency

for Social Security from funds known as the Social Security Contribution Fund in the State Treasury for the Fiscal year ending September 30, 1976.

By Messrs. Callahan and Sonnier:

H. 1160. To amend the title and further amend Sections 1, 3, 4 and 5 of Act No. 755, 1967 Regular Session (Acts of Alabama 1967, Vol. II, p. 1609), as amended, entitled "To provide Supernumerary Tax Collectors, Tax Assessors, License Commissioners, or other elected officials charged with the assessment and/or collection of any ad valorem taxes in the various counties of the State of Alabama; describing their duties; setting up their requirements and qualifications; fixing their compensation; status and tenure of office; and providing for the payment of their salaries," so as to provide further for the requirements, qualifications and compensation for such Supernumerary Tax Collectors, Tax Assessors and License Commissioners, or other elected officials charged with the assessment and/or collection of any ad valorem taxes in this state, in the various counties of the State of Alabama having a population of less than 600,000 inhabitants.

By Mr. Owens, et al:

H. 1273. To make appropriations to the Alabama Forestry Commission for construction of an automotive maintenance and repair shop, mechanics salaries, and equipment and parts for such shop.

By Messrs. Lewis, Barron, Plaster, Wyatt and Holmes:

H. 1419. To make a conditional appropriation in the amount of \$100,000.00 from the Alabama Special Educational Trust Fund to Alabama State Board of Education for the use and benefit of Alabama State University for the purpose of demolition and removal of a gutted building on the University campus and for the purpose of purchasing additional land within the University Master Plan Area.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McCorquodale and Campbell (With Substitute) (With Amendment):

H. 1547. Relating to the First Judicial Circuit; providing for an additional circuit court judge in such circuit, and providing for the designation of judgeships upon the expiration of existing terms of office; and provides for the maintenance of an office for circuit judges in Clarke County.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Barron, et al:

H. 1672. Providing for the distribution of fines and forfeitures from convictions in certain cases of traffic violations in counties having

populations of not less than 150,000 nor more than 180,000 and counties having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal census.

By Messrs. Merrill and Shelton:

H. 1728. Relating to the Seventh Judicial Circuit; to authorize the district attorney to appoint two deputy district attorneys and one clerk-secretary; to fix their salaries and to provide for the payment thereof; and to provide further for the compensation of the investigator for the circuit.

By Messrs. Venable, Plaster, Harris and Barron:

H. 1778. To make a conditional appropriation from the general fund of the State Treasury to the Alabama Historical Commission of the sum of Five Hundred Thousand (\$500,000.00) to be used for the purpose of fully restoring Fort Toulouse and to develop the Fort Toulouse Complex.

By Messrs. Taylor, Ford and Rich:

H. 860. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

By Mr. Folmar:

H. 1171. To amend further Act No. 533, Acts of Alabama, 1957 Regular Session, page 750, entitled "An Act To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund,' and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, Acts of Alabama, 1961 Special Session, page 2082; by Act No. 1051, Acts of Alabama, 1969 Regular Session page 1965; and by Act No. 1202, S. 107, 1973 Regular Session (Acts of 1973, p. 2020); so as to provide for an increase in the registration fee for a license and the annual renewal fee for licenses.

By Mr. Falkenburg, et al:

H. 1623. To amend Section 2 of Act No. 1218, H. 342, Regular Session of 1973 (Acts 1973, p. 2065), which relates to appropriations for the renovation, repair, refurbishing, and refurnishing of certain state buildings so as to remove the line item conditional appropriations and appropriate the sum of Two Million Dollars.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sonnier, Sandusky, LeFlore, Cooper and Kennedy (With Substitute):

H. 1665. Relating to the thirteenth judicial circuit; providing for an additional circuit court judge in such circuit and prescribing the duties, authority, and compensation of such judge; establishing the family court division of such circuit; prescribing the jurisdiction of the family court division and providing for selection, appointment, qualifications, tenure, and compensation of officers and administrative and clerical personnel; abolishing special courts having jurisdiction of juveniles and domestic relations cases.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Folmar, et al (With Amendment):

H. 768. To provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer; to provide for the disposition of said funds by the State Treasurer; to provide that all funds paid out by the State Treasurer shall be budgeted and allotted; and further providing that any monies in the Land Surveys Fund in excess of \$100,000.00 at the end of any state fiscal year shall be transferred into the General Fund of the State.

Mr. Noonan, Chairman of the Standing Committee on Seaports and Inland Waterways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Venable:

H. 1250. To amend Sections 10, 14 and 16 of Act No. 576, Acts of Alabama, 1959 Regular Session, as amended, pertaining to the cost of obtaining registration certificates, duplicate certificates and transfer certificates for vessels operated on the waters of the state, and to provide for the disposition of the proceeds from the increases in those costs as prescribed herein.

By Mr. Callahan:

H. 1669. To authorize the state of Alabama, acting through its agency, the Alabama state docks department, with the consent of the governor, to enter into contracts and agreements with the United States of America or any of its agencies for the purpose of acquiring from the United States of America, or any of its agencies, funds and facilities for public use in connection with waterways and navigation for which said funds are obtained and to comply with the provisions of Public Law No. 91-646 known as the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 in connection with such public projects for which Federal funds are available and used.

Mr. Fine, Chairman of the Standing Committee on Banking, reported that said committee, in session, had acted on the following bill and ordered

same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Rich:

H. 936. To amend Section 3 of Act No. 2053, S. 122, 1971 Regular Session (Acts of 1971, p. 3290; now appearing in Code of Alabama, Recompiled 1958, Title 5, Section 318), entitled "To provide maximum finance charges for loans and credit sales; to regulate extensions of credit, including consumer loans, consumer credit sales and consumer leases; to provide penalties for violation of this Act; and to authorize the Superintendent of Banks to administer this Act"; so to set a limit on collection of default of one hundred dollars (\$100.00).

Mr. Bank, Chairman of the Standing Committee on Health and Welfare, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Manley:

H. 887. Relating to hospitalization of mentally ill persons; defining terms; providing for specified civil, legal and treatment rights of patients; prescribing the duties and responsibilities of persons and agencies concerned with the admission and treatment of mentally ill persons; prescribing the quality of care and treatment of patients; and repealing conflicting laws.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Flippo (with notice and proof):

S. 809. Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

By Mr. Flippo (with notice and proof):

S. 811. To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at their discretion of said County Board, participate in leave allowances the same as is provided teachers.

By Mr. Waldrop:

S. 1241. To repeal Act No. 208, H. 130, Third Special Session of 1975, approved May 5, 1975, entitled "To apply only in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; to better secure the administration of the financial affairs of such counties by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all

revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws."

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waldrop (With Amendment):

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Little (with notice and proof):

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

By Mr. Waldrop:

S. 1262. To create a civil service board for cities having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census, providing for the composition of the board and terms of office, providing for the appointment of police and fire chiefs in such cities and prescribing their duties, providing for a grievance procedure for discharge, and providing for promotions of fire and police personnel.

By Messrs. Greer and Coburn:

H. 1348. To provide for supplementing the salaries or compensation paid to semi-retired or retired circuit judges in the 11th Judicial Circuit.

By Messrs. Coburn and Goodwin (with notice and proof):

H. 1261. Relating to Colbert County; providing for the further and additional definitions of "Hospital" for the purpose of defining any

"Hospital" operated or to be operated by any Corporation already incorporated or which may hereafter be incorporated in Colbert County, Alabama, under the provisions of Article 5, Title 22, Code of Alabama, and to provide for further and additional powers for any corporation already incorporated or which may be incorporated in Colbert County under the provisions of Article 5, Title 22, Code of Alabama, (1940) as amended and recompiled.

By Messrs. Merrill and Shelton:

H. 1835. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

By Messrs. Dial and Teague (with notice and proof):

H. 1285. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Mr. King, Chairman of the Standing Committee on Constitution and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. St. John:

S. 635. To amend Section 224, Article 12 of the Constitution of 1901, so as to raise the debt limit to provide that no county shall become indebted in an amount including present indebtedness, greater than seven percentum of the assessed value of the property therein.

The above Bill was read a second time at length as required by the Constitution.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Drake and Sparks (with notice and proof):

H. 1916. Relating to Cullman County; to levy an excise and privilege tax on the severance of coal in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the paving of roads in Cullman County.

BILL RE-REFERRED

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in Session, had acted on the Bill, H. B. 158, and ordered same returned to the Senate with the recommendation that said Bill be re-referred to the Standing Committee on Finance and Taxation.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 158, re-referred to the Standing Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 441. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1975-76 and 1976-77; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Bank, the Senate non-concurred in the following House amendment to the Bill, S. B. 441, the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. B. 441 by striking the figure "21" where it appears on line 33 at Section 7 on page 5 and substituting the figure "19".

AMENDMENT TO S. 441

Amend Senate Bill 441 page 6 by deleting lines 26-32 entirely.

AMENDMENT TO S. B. 441

Amend Senate Bill 441 in the title by striking therefrom page one on lines 27, 28 and 29 the following words and figures:

"to make biennial appropriations for the Fund for fiscal years 1975-76 and 1976-77;

and requested a Committee on Conference.

Yeas 18; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Owen, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—18

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Bank, Edwards and Mims.

SPECIAL ORDER
BILLS ON THIRD READING

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

H. 324. Relating to any county having a population of 600,000 or more inhabitants, according to the most recent decennial census; providing that all members of the public school boards of education in said county shall reside within the area over which the particular school system has jurisdiction; and providing that present members shall not lose their position and may be reelected.

Mr. McMillan offered the following substitute for the Bill, H. B. 324, to-wit:

SUBSTITUTE FOR H. B. 324

A BILL
TO BE ENTITLED
AN ACT

Relating to any county having a population of 600,000 or more, according to the most recent decennial census; providing residency requirements for members of the county public school board of education, and for those who vote for candidates in an election for a place on the county school board; and providing that present members shall be exempt from the provisions of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall apply only to any county having a population of 600,000 or more inhabitants, according to the most recent federal decennial census.

Section 2. In any such county, four members of the county public school board of education shall be required to reside within the area served by the particular county school system. Only those qualified voters who reside in the area served by the county public school board shall be eligible to vote in the election of these four members of that school board.

Section 3. In any such county, one member shall reside within a municipality not served by the particular county school system. Only those qualified voters who reside in such a municipality not served by the county school board of education shall be eligible to vote in the election of this member of that school board.

Section 4. The members of the public school boards of education in any such county who are currently holding such positions shall be exempt from the provisions of this act, and may be reelected to such position.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Vacca, Wilson.

—25

Nays:

—0

And said Bill, H. B. 324, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Vacca, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Sandusky and Sonnier:

H. 1832. To amend Section 210 of Title 22, Code of Alabama 1940, as amended, so as to provide that the Alabama Dairy Commission shall not promulgate or enforce any rule or regulation which shall establish a minimum retail price for milk in any counties with a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census, and to repeal all conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1832. To the Committee on Local Legislation No. 1.

RULE 35 SUSPENDED

On motion of Mr. Fine, unanimous consent was granted to suspend Senate Rule 35 for the Thirty-third Legislative Day.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Edwards, further consideration of the Bills, S. B.'s 1187 and 1183, was indefinitely postponed by the Senate.

On motion of Mr. Owen, further consideration of the Bill, H. B. 1762, was indefinitely postponed by the Senate.

On motion of Mr. Stewart, further consideration of the Bill, H. B. 1065, was indefinitely postponed by the Senate.

On motion of Mr. Wilson, further consideration of the Bill, S. B. 989, was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 707. To amend Section 3.04 and 4.03 of Act No. 618, Acts of Alabama 1973, page 879, relating to the Mayor-Council form of government in cities with a population of not less than 70,000 nor more than 135,000, so as to require council members to reside in the district which they represent, and to require the mayor to be a full time official who shall not draw any other compensation from any source other than disability compensation or a retirement pension.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 707, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT NO. 1 TO S. B. 707

Amend Senate Bill 707 by striking Section 2 in its entirety and re-numbering Sections 3 and 4 accordingly.

AMENDMENT NO. 2 TO S. B. 707

Amend Senate Bill 707 on line 27, paragraph 3.04 of Section 1, by adding after the comma the following: and shall reside in the district during their terms of office.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

0

BILLS ON THIRD READING RESUMED

The Bill:

H. 927. Relating to St. Clair County, providing for the salaries of the chief deputy sheriff and the existing deputy sheriffs, providing for the hiring of additional deputy sheriffs for said county, and providing retroactive effect to the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

0

The Bill:

H. 928. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

0

The Bill:

S. 1060. To create the Scholarship and Loan Commission of Covington County for the purpose of providing loans and scholarships to persons who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

0

The Bill:

H. 978. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant ad valorem tax exemptions for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

0

The Bill:

H. 1587. Proposing an amendment to the Constitution of Alabama relating to compensation of certain officers of Coosa County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

0

The Bill:

H. 1599. Relating to the employment of law enforcement officers in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing particularly for the employment of law enforcement officers, deputies, jailers and civilians in the sheriffs' offices or by municipalities in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1631. To create the District Court of Fayette County and to provide for its jurisdiction and functions, and to abolish the Juvenile Court of Fayette County and the County Court of Fayette County created by Act Number 27, Acts, 1963.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1632. To provide an additional expense allowance for the probate judge of every county having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1637. To provide for the salaries and expense allowances of the circuit clerk and register of the circuit court in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

was taken up.

Mr. Littleton offered the following amendment to the Bill, H. B. 1637, to-wit:

AMENDMENT TO H. B. 1637

Amend H. B. 1637, page 1, line 27, by striking out the amount (\$14,500.00) and inserting in lieu thereof the amount (\$15,500.00).

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Littleton, McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1637, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

H. 1638. To provide for additional expense allowances for the tax assessor and tax collector in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Wilson.

—25

Nays:

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The Bill:

H. 1639. To provide for the salaries of the clerical assistant to the district attorney and the court reporters in all counties having a

population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

was taken up.

Mr. Littleton offered the following substitute for the Bill, H. B. 1639, to-wit:

SUBSTITUTE FOR H. B. 1639

A BILL TO BE ENTITLED AN ACT

To provide for the salaries of the clerical assistant to the district attorney and the court reporters in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall be applicable to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Section 2. The clerical assistant to the district attorney in such counties shall be entitled to a salary of not less than \$7,200 nor more than \$9,000 per annum, the exact amount of such salary to be fixed by the district attorney for such counties. Said salary shall be paid in equal monthly installments out of the treasury of such counties in the same manner as other county officers are paid.

Section 3. Each court reporter for the circuit court in such counties shall be entitled to a salary of \$6,800 per annum to be paid by the said counties. This is to be paid in addition to any and all other compensation paid by any legal entity or individual other than said counties. Said salary shall be paid in equal monthly installments out of the treasury of said counties in the same manner as other county officers are paid.

Section 4. This Act shall become effective on the first day of the month following its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1639, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Flippo, Foshee, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1640. To provide for an expense allowance for the Sheriff in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for the salaries of certain deputy sheriffs in such counties and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

H. 1641. To provide for the salary of the judge of probate of all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1654. To provide for the payment of a county supplement to the salary paid by the state for the assistant district attorney in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Littleton, McDonald (S), McMillan, Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

H. 1655. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for the salaries of the judges of the county courts and the clerk of the county courts that are located at a place other than the county seat in such counties and to provide for an expense allowance for said judges in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1656. Relating to Washington County; to provide an additional expense allowance for members of the county school board.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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The Bill:

H. 1657. To amend Act No. 274, S. 111, Second Special Session 1971 (Acts 1971, p. 4542), entitled, "An Act Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties," so as to provide further for the expense allowances of such deputy district attorneys.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

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The Bill:

H. 1692. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; authorizing the governing body to appropriate county funds to all organized fire departments of the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1693. To further amend Section 6 of Act No. 2452, H. 2798, 1971 Regular Session (Acts of 1971, p. 3917), as amended, entitled, "An Act To provide courts in each county of the state having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said courts; providing for its officers, and their appointment; elections; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court of said court hereby established; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before this court," so as to increase the compensation of judges of the Inferior Court to \$9,600 per annum.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, King, Little, Littleton, McDonald (A), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1694. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 57,000 and not more than 61,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Owen, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1695. Relating to all counties having a population not less than 57,000 nor greater than 61,000, according to the latest Federal decennial census; authorizing the county commission to set clerk hire for all county officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Owen, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1696. Relating to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; authorizing an additional uniform allowance for all uniformed personnel of the sheriff's department of each such county; and providing a clothing allowance for chief investigators and assistant investigators, the same to be paid from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1699. To propose and provide for the submission to the qualified electors of the State of Alabama of an amendment to the Constitution of Alabama (a) authorizing each school district in Russell County to levy and collect a tax of eight mills on each dollar of taxable property in each district when approved by the qualified electors thereof; (b) providing that the tax year commencing October 1, 1982, is the first tax year for which each such district tax may be levied; and (c) repealing, effective October 1, 1982, the constitutional amendment known as CXXIV which authorizes an eight mill county-wide tax for public school purposes in Russell County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1713. Relating to all counties with populations of not less than 23,800 nor more than 23,925 inhabitants according to the most recent federal decennial census; providing for the salary of the jury commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1743. Relating to Geneva County; relieving the tax assessor and tax collector from the duty of traveling from place to place within the county to assess property and collect taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King,

Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1753. Relating to all counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide for the compensation of certain county officers on a salary basis; to provide that the fees, commissions and allowances of such officers shall be deposited in the general fund of such counties; and to provide for the operation of the offices of such officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1768. Relating to Geneva County; providing additional compensation for the official court reporter of the Thirty-third Judicial Circuit, payable by the county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1486. Relating to Wilcox County; to provide that the county governing body shall set the mileage allowance for the coroner.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan,

Jones, King, Little, McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1488, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1488

A BILL TO BE ENTITLED AN ACT

To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The Shelby County Commission is authorized at its discretion to provide an additional expense allowance in an amount not to exceed \$2,600 per year to any of the following: the judge of the inferior court, the circuit clerk, the probate judge, the sheriff, the tax assessor, and the tax collector, and an expense allowance of \$1,200 per year to each member of the Shelby County Commission, except the Chairman; and the Shelby County Commission shall determine when the payment of any such expense allowance shall commence. Said expense allowances shall be in addition to any compensation and allowances heretofore prescribed by law and shall be payable in equal monthly installments from the general fund of the county.

Section 2. At the commencement of a new term of office for each of the county officials designated in Section 1 above, all fixed expense allowances provided by statute and payable to any of such officials shall be added to and become a part of the salary of any such official and shall not continue to be paid as an expense allowance.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

Nays:

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And said Bill, H. B. 1488, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

H. 1492. To authorize the Tax Assessor and the Tax Collector of Autauga County to appoint one Chief Deputy Clerk and additional Deputy Clerks, and to provide for the compensation of said Clerks, and to repeal Act No. 215 H. 647 approved September 30, 1959, Page 755 Volume 1 Acts of Alabama Regular Session 1959.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

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The Bill:

H. 1510. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census, to provide a total compensation for members of the jury commission and for the secretary of the jury commission in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McMillan, Mims, Noonan, Owen, Pearson, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1511. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1512. To alter or rearrange the boundary lines of the Town of Gulf Shores, Baldwin County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

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The Bill:

H. 1522. Providing for an additional fee for a pistol permit or license in any county having a population of not less than 33,500 nor more than 34,000 according to the most recent federal census and providing for the disposition of the proceeds from such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Flippo, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1544. To amend Section 1 of Act No. 631, H. 1738, Regular Session 1973, (Acts 1973, p. 939) which relates to the compensation of certain officers of Houston County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1546. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Belk in Fayette County, Alabama, so as to annex certain territory to the Town of Belk, in Fayette County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Foshee, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1553. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes and raccoons; prescribing a penalty for violation of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perry, Powell, Roberts, St. John, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1555. Relating to Lowndes County; to authorize the county governing body to maintain roadways and driveways connecting private residences with public roads.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1556. Relating to Lowndes County; to provide an additional expense allowance for the county solicitor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1557. Increasing the compensation of the bailiff of the 32nd judicial circuit to \$20.00 per day, the increase to be paid out of the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1560. To amend Section 1 of Act No. 586, H. 1606, Regular Session 1973 (Acts 1973, p. 842) to increase the expense allowance of the clerk and the register of the circuit court of Houston County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan,

Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

H. 1566. To alter, rearrange and establish commissioners' districts in Pickens County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1571. Relating to Covington County; to outlaw the use of any commercial fishing nets in the public waters of said county for a period of five years from the effective date of this act; providing penalties therefor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, King, Little, Littleton, McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1577. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo,

Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Wilson.

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Nays:

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The Bill:

H. 1147. Relating to the fifteenth judicial circuit, authorizing the hiring of two secretaries, one for the criminal division and one for the civil division of the circuit court, chosen by the presiding judge of the fifteenth judicial circuit, and paid by the county comprising the circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1189. To create the office of supernumerary sheriff for Blount County, Alabama and to prescribe the qualifications, duties, appointment, elections and salary of such office.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1189, to-wit:

LOCAL LEGISLATION COMMITTEE

AMENDMENT TO H. B. 1189

In Section 5 strike out the following words and figures, "and he shall serve as a consultant to the County Commission or the governing body of Blount County, Alabama relating to law enforcement"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1189, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (S), Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1213. Relating to Cullman County, providing an expense allowance for the members of the county board of education, which shall be in lieu of any expense allowances now payable to such members.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 919. To create the office of Deputy District Attorney No. 5 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such office.

was taken up.

Mr. Shelby offered the following substitute for the Bill, H. B. 919, to-wit:

SUBSTITUTE FOR H. B. 919

A BILL TO BE ENTITLED AN ACT

To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

Be It Enacted by the Legislature of Alabama:

Section 1. That there shall be an additional judgeship, to be known as Judge Number Five, for the Sixth Judicial Circuit of Alabama. The judge for the additional judgeship shall be elected in the general election in 1976, and the additional judgeship shall be established upon the election of

the judge herein provided for. Such judge shall hold office from the day after election until a successor is elected and qualified as provided in Constitution of Alabama 1901, Article VI, Sections 158 and 159. The judge for the additional judgeship shall be elected thereafter in the same manner as other circuit judges in this state.

Section 2. That said additional judge shall have and exercise all the jurisdiction, powers, rights and authority and shall possess all the qualifications, and may perform all the duties that the other circuit judges of the State of Alabama may exercise, have or perform; and he shall be liable to all the pains and penalties of said other circuit judges of the State.

Section 3. The salary and compensation of said Judge Number Five shall be the same as paid by the State to the other circuit judges of the State of Alabama and shall be paid out of the State Treasury in equal installments as the salaries of the other circuit judges are paid, and the same supplement paid to the other circuit judges of the Sixth Judicial Circuit by the county or counties comprising the said Sixth Judicial Circuit shall be paid, in like manner, to said Circuit Judge Number Five. Candidates for the office of circuit judge in said circuit shall designate whether they are candidates for the office of Circuit Judge Number One, Number Two, Number Three, Number Four or for the office of Circuit Judge Number Five.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 919, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 916. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

was taken up.

Mr. Shelby offered the following substitute for the Bill, H. B. 916, to-wit:

SUBSTITUTE FOR H. B. 916

A BILL TO BE ENTITLED AN ACT

To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The total compensation of each Deputy District Attorney of the Sixth Judicial Circuit shall be computed by the criteria set out in Section 2 hereinbelow. Of the total compensation received by each such Deputy District Attorney, each shall be paid such annual salary by the State of Alabama as may be otherwise provided for by law. The remainder of said annual compensation of each such Deputy District Attorney shall be paid by the county governing body of Tuscaloosa County, which sum shall be paid from the general fund of said county in equal installments as the salaries of other county officers are paid.

SECTION 2 (A). The beginning salary for each Deputy District Attorney shall be \$13,500.00 per annum.

SECTION 2 (B). When each Deputy District Attorney has completed one year of service in such office to the satisfaction of the District Attorney, and upon employment he had less than one year of prior applicable experience as an attorney, he shall, on recommendation of the District Attorney receive an increase in his annual salary of an amount, not to exceed \$1,500.00 per annum; but, if, however, he had more than one year of prior applicable experience as an attorney upon his employment, then he shall, on recommendation of the District Attorney receive an increase in his annual salary of an amount, not to exceed \$2,500.00 per annum.

SECTION 2 (C). When each Deputy District Attorney has completed two years of service in such office to the satisfaction of the District Attorney, he shall, on recommendation of the District Attorney receive an increase in his annual salary of an amount, not to exceed \$2,500.00 per annum.

SECTION 2 (D). When each Deputy District Attorney has completed three years of service in such office to the satisfaction of the District Attorney, he shall, on recommendation of the District Attorney receive an increase in his annual salary of an amount, not to exceed \$1,500.00 per annum.

SECTION 2 (E). After the completion of each additional year of service in such office after the third such year, to the satisfaction of the

District Attorney, he shall, on recommendation of the District Attorney, receive an increase in his annual salary of an amount, not to exceed \$1,000.00 per annum.

SECTION 3. In determining the present salary of each Deputy District Attorney serving in such office at the time that this Act becomes a law, it is intended that such salary be what it would have been if this law had been effective at the time that such Deputy District Attorney began his service as such Deputy District Attorney, and that the service of such Deputy District Attorney has been satisfactory to the District Attorney, and that the District Attorney has after each year of such service recommended that such Deputy District Attorney receive the maximum salary increase possible under this Act.

SECTION 4. In the event that after this Act becomes a law any former Deputy District Attorney shall be re-employed in such office, then his prior term of service in such office may be considered in determining his salary, in the discretion of the District Attorney; and, if such former Deputy District Attorney shall have also served as a Public Defender, then the time served as such Public Defender may also be considered in determining his salary, in the discretion of the District Attorney.

SECTION 5. All laws or parts of laws which conflict with this Act are hereby repealed.

SECTION 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 916, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

—0

The Bill:

H. 1590. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Tuscaloosa County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

was taken up.

Mr. Shelby offered the following amendment to the Bill, H. B. 803, to-wit:

AMENDMENT TO H. 803

Amend H. B. 803 by striking the figure "\$800.00" on line 27 and inserting in lieu thereof the figure \$1,000.00 and by striking the figure "\$600.00" on line 29 and inserting in lieu thereof the figure \$700.00 and further amend H. B. 803 by striking "Section 7" in its entirety, and references thereto in the title and Section 1.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 803, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays: —0

The Bill:

H. 805. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for an expense allowance for the members of the board of education in Bibb County, so as to provide further for such expense allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 809. To provide that the clerk of the Circuit Court of Bibb County shall be entitled to certain warrant fees in addition to any other compensation or allowances heretofore provided by law.

was taken up.

Mr. Shelby offered the following amendment to the Bill, H. B. 809, to-wit:

AMENDMENT TO H. 809

Amend H. B. 809 by inserting the following words on line 20 between the word "issued" and the word "by", viz:

in misdemeanor cases only

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays: —0

And said Bill, H. B. 809, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan,

Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1237. To amend further Section 5 of Act No. 592, S. 456, Regular Session 1953, as amended, an act providing a civil service system for the City of Anniston (Acts 1953, Vol. II, p. 838), in relation to the manner of appointing the members of the civil service board and to their qualifications.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1262. Applying to Madison County, State of Alabama; to regulate massage parlors within Madison County; to make legislative findings concerning the operation of massage parlors within Madison County, and concerning the difficulty encountered by law enforcement officers in the enforcement of the law in connection with massage parlors; to define terms; to require a license from the Madison County Board of Health for the operation of any said business within the County; to provide health and sanitary requirements for the operation of massage parlors in Madison County; to provide standards for cleanliness in connection with massage parlors in Madison County; to prohibit the use of any massage parlor as a dormitory in Madison County; to prohibit massages by any licensee within said County except upon licensed premises; to prohibit massages behind closed doors; to require health examinations for persons to administer massages; to require that massage parlor premises in said County shall be open to the public and to law enforcement officers during the rendering of any service in connection with same; to provide for automatic termination of a massage parlor license upon final conviction of certain offenses by any owner, manager, or supervisor of a massage parlor in said County; to prohibit any physical contact by a person of the opposite sex in connection with a massage at a massage parlor, bath parlor, or any similar type business in Madison County, to prohibit massaging, or in any way touching, the genital organs of another in connection with a massage or other service rendered by a massage parlor in Madison County; to prohibit any person from advertising or offering any massage or physical touching of the genital organs of another in connection with a massage in Madison County, to provide for the revocation of massage parlor licenses by the Madison County Health Officer after notice and hearing; to provide penalties for the violation of this act; to provide severability for the

various sections, paragraphs, sentences, clauses and phrases of this act; and to provide that the act shall become effective immediately upon its passage and approval, or upon its otherwise becoming a law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, King, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1277. To amend further Act No. 37, S. 69 Special Session 1964 (Acts of 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1295. To provide for additional compensation for the official Court Reporters of the Twentieth Judicial Circuit of Alabama, for the performance of their official duties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1335. To amend Act No. 356 of the Legislature of Alabama of 1973, to improve the benefits for retired employees by authorizing and

ratifying the payment of premiums for life, health and hospitalization insurance for retired employees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 1383. To amend Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), which creates in the City of Montgomery in connection with the regular organized and paid fire department of the City of Montgomery, the Montgomery Fire Fighters Pension Fund; amending Sections 6, 9, 12, 15, 17 and 24 of said act so as to authorize the trustees of the Fund, in their discretion, to select and appoint a custodian of the assets of the Fund to serve in lieu of the Comptroller of the City and to select and appoint an investment trustee and to delegate to such investment trustee certain managerial powers relative to the handling, investment and reinvestment of such funds; to regulate further the issuance of vouchers on the fund; to increase retirement benefits from such fund; to provide for the return of contributions upon the death of a member who does not leave a surviving spouse or surviving children under eighteen years of age; and to give retroactive effect to some of the provisions of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flipppo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1413. Relating to counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to allow the governing body to set the mileage allowance for the coroner.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1421. Relating to all counties having populations of not less than 56,500, nor more than 59,000 inhabitants according to the most recent federal decennial census; increasing the compensation of the members of the jury commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1422. Relating to Lauderdale County; providing further for the election of the members of the county board of education.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1458. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) as amended, which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices, so as to increase the salary of certain officers.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Little, McMillan, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1464. Proposing an amendment to the Alabama Constitution that will allow the Legislature to pass local legislation applicable to Madison County to change the method prescribed by law for giving notice to delinquent taxpayers in Madison County of their failure to pay taxes assessed against any property which is assessed to them and to further change the notice required to be given them prior to the sale for taxes of said property and to further change the method for issuing decrees for the sale of land and the trials held to determine whether such sales should be ordered and to change the method of giving notice to delinquent property owners to show cause why a decree of sale should not be rendered against them and to further change the method regarding the sale of said property and the report of the amount of taxes collected from said sale.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1465. Relating to Madison County; to provide that the notice required to be given to delinquent taxpayers prior to the sale for taxes of their property be given by publication; to provide that trials be held to determine whether such sale should be ordered; to provide a method to give notice to delinquent property owners to show cause why a decree of sale should not be rendered against them; to provide a method for the sale of said property and the report of the amount of taxes collected from said sale.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (A), Mims, Mitchell, Noonan, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 1481. Relating to Walker County; levying a 4 mill ad valorem tax to be paid to the Walker County Board of Education and distributed by the Walker County Board of Education in accordance with amendment No. 204 to the 1901 Constitution of the State of Alabama; providing for the purposes to which the funds provided by said tax are to be put; further providing that such tax shall take effect upon being approved by the voters of said county in an election to be called by the governing body of Walker County, Alabama and pursuant to the Constitution of Alabama and the law relating thereto.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 159. Relating to Madison County, to set standards for judicial officers in said county for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

was taken up.

Mr. McDonald (A) offered the following amendment to the Bill, H. B. 159, to-wit:

AMENDMENT TO HOUSE BILL 159

Amend Section 14, the final section of the bill relating to the effective date, by deleting it entirely and inserting in lieu thereof the following section.

“Section 14. This Act shall become effective on October 1, 1976 provided, however, that the Madison County Governing body by resolution may cause this act to be implemented at any time after the first day of the Regular Session of the Legislature of 1976 if they should determine that the legislation does not create a financial hardship for the county.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, King, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen,

Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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Mr. McDonald (A) then offered the following amendment to the Bill, H. B. 159, as amended, to-wit:

AMENDMENT TO HOUSE BILL 159, AS AMENDED

Immediately following Section 9, page 4 of said bill, insert the following new sections and renumber the remaining sections accordingly:

Section 10. There is hereby created the office of Administration for the pre-trial release program hereby created which shall be headed by an officer known as the Administrator of the Pre-Trial Release Program of Madison County. Immediately upon the implementation of the release program herein provided, the county governing body of Madison County shall appoint an administrator, and shall provide personnel and facilities required to maintain the office of Administration. The said administrator shall serve at the pleasure of the Madison County governing body. The administrator shall be charged with the general administrative, supervisory and co-ordinating duties of the release program, including specifically, but not limited to, the keeping of complete records pursuant to the program, and the coordination and dissemination of all materials and information between the circuit judges' offices, the district attorney's office and the sheriff's department of Madison County in order to implement and facilitate the provisions of this act. The administrator shall be authorized to use directly in his operations any personnel of the sheriff's department, the district attorney's office or the work-release program, with the cooperation and consent of these various agencies.

The salaries of the administrator and any personnel which may be authorized and employed in the Office of Administration of the Pre-Trial Release Program shall be set by the governing body of Madison County and shall be payable from the county general fund in equal monthly installments.

Section 11. Upon the enactment of this act, the governing body of Madison County shall appoint a Citizen's Committee of the Pre-Trial Release Program. The committee shall consist of 5 members, one appointed by each of the five members of the county governing body. No appointed member of the committee shall be eligible to serve if such person is an elected official of the state or county, and no more than one lawyer shall be a member of the committee at any time.

Upon the first state legislative day of 1976 the Madison County Governing Body shall report to the legislative delegation of said county of its opinions and estimates of costs involved in the pre-trial release program, the feasibility of such program, and any suggestions relating to possible amendments to this act, including suggested new sources of revenue to accommodate any proposed changes or amendments.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 159, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), Mims, Mitchell, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 170. Relating to Washington County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Washington County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 209. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of two investigators; to prescribe their authority and powers and prescribe their compensation.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 209, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 209

A BILL
TO BE ENTITLED
AN ACT

Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of two investigators to prescribe their authority and powers and prescribe their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The District Attorney for the Thirteenth Judicial Circuit is hereby authorized to appoint two investigators for such office.

Section 2. The investigators shall have the same authority and powers vested in deputy sheriffs and all other peace officers of the State of Alabama. They shall be responsible to the District Attorney and shall perform all duties assigned to them by such official.

Section 3. Compensation of said investigators shall be a minimum of \$12,000.00 and a maximum of \$15,000.00, of which nine thousand dollars shall be paid from the State treasury and the remainder to be paid from the General Fund of Mobile County.

Section 4. The salary of the investigators herein provided for shall be paid in equal monthly installments on warrants drawn in the manner prescribed by law.

Section 5. The governing body of the county in which such Circuit is located shall purchase from the general fund upon the application of the District Attorney for the use of such investigators equipment and supplies including automobile, radios (radios) and other electronic equipment, which are necessary in the proper performance of their duties and pay for such other expenses which are reasonably necessary in the suppression of crime, the apprehension of criminals and the duties assigned them. The governing body of such county shall be responsible for the maintenance and upkeep of such equipment.

Section 6. The provision of any existing Merit System or Civil Service Law shall not be applicable to any investigator appointed under this Act, and the provisions of any law, local or general, in conflict with any of the provisions of this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Noonan, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

Nays: —0

And said Bill, H. B. 209, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays: —0

The Bill:

H. 210. To amend further Act No. 172, H. 187, 1st Special Session 1964, as further amended which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney and the two Legal Stenographers and the addition of a Legal Stenographer in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Noonan, Owen, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 355. To amend further section 1 of Act No. 192, H. 262 First Special Session 1964 (Acts 1964, P. 256) an Act providing an annual allowance for purchasing uniforms for deputy sheriffs in counties having populations of not less than 300,000 nor more than 500,000 so as to regulate further the amount of such allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 1215. Relating to Cullman County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 363. Relating to counties having a population of not less than 300,000, nor more than 500,000 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners, to provide that the provisions of this Act shall be effective upon passage.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 377. To provide retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census, between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 377, to-wit:

COMMITTEE AMENDMENT TO H. B. 377

Amend H. B. 377 by striking in Section 5, page 2, on line 9, the words and number "sixtieth (60) birthday" and insert in lieu thereof "sixty-second (62) birthday".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Standing Committee on Local Legislation No. 1 then reported the following amendment to the Bill, H. B. 377, as amended, to-wit:

COMMITTEE AMENDMENT TO H. B. 377, AS AMENDED

Amend House Bill 377 by inserting a new Section Two, as follows:

“Any elected official of any such municipality who is presently serving or who in the future may serve as such elected official, and serves for a period of not less than twelve (12) years, shall be paid a retirement benefit equal to thirty (30) per cent of the average compensation he received as a salary during the five (5) highest paid years which he served as such elected official, which said benefit shall be payable monthly.”

Further amend H. B. 377 by renumbering subsequent sections accordingly.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 377, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

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The Bill:

H. 421. To allow prospective jurors to be excused without the presence of the defendant in all judicial circuits of Alabama having

populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 424. Relating to the Fifth Judicial Circuit of Alabama; to provide for an investigator who shall be furnished with an automobile and other equipment necessary for the performance of investigative duties; to prescribe the investigator's powers, duties and authority and to fix his compensation and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 426. Relating to the method of giving notice of the requirement of attendance of jury service in all judicial circuits of Alabama, having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 428. To apply only in the circuit courts of all judicial circuits having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census; to provide that in such courts the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 589. To require the members of the board of registrars in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent or any subsequent decennial census to visit each legislative house district for the purpose of accepting forms for the reidentification of voters and for the purpose of accepting applications for the registration of voters; to provide for the designation of places to be visited; to provide further for the compensation and mileage of members of the board.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 589, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 589

A BILL TO BE ENTITLED AN ACT

To require the members of the board of registrars in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent or any subsequent decennial census to be available at the city hall of each incorporated municipality for the purpose of voter registration and voter reidentification, once each 6 months, and to be available at certain unincorporated areas in the county once each 6 months at the request of the House of Representatives member who

represents such area with the concurrence of the Senate member who represents such area.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall apply to all counties having populations of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census.

Section 2. At least one member of the board of registrars in any county to which this act applies shall be available once each 6 months at the city hall of all incorporated municipalities for the purpose of voter registration and voter reidentification. One member of the board of registrars shall be available for registration and reidentification purposes once each 6 months at every unincorporated area of the county which is not less than 5 miles from the courthouse upon the request of the member of the House of Representatives who represents that area with the concurrence of the Senate member who represents that area. The board members shall be available at the above mentioned areas during regular business hours on regular business days. The members of the board shall equally share the duties of visiting the legislative house districts. All reidentification forms and voter registration applications accepted by any registrar according to the provisions of this act shall be presented to and acted on by the full board or a quorum of the board at their first meeting after the acceptance of any such forms or applications.

Section 3. The county governing body and the representatives shall at their discretion determine a suitable means of advertising the visits to their legislative districts. The county governing body may authorize advertisements of such visits in any local newspaper, or on local radio stations, or on local television stations and the cost of such advertisements shall be paid out of the general fund of the county.

Section 4. All laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Flippo, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 589, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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The Bill:

H. 751. To authorize and empower the director of the Madison County License Department to charge and collect a fee of \$1.00 for the performance of duties relative to the recording of the transfer of ownership of motor vehicles as prescribed in Title 51, Section 706, Code of Alabama 1940, as last amended; to provide that all fees so collected shall be the property of the county and shall be paid into the general fund of the county; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Vacca, Waldrop.

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Nays:

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The Bill:

H. 766. To authorize the Madison County Commission to pay the expenses of defending lawsuits brought against employees of Madison County, Alabama, resulting from the performance of any work while in the employment of Madison County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), Mims, Mitchell, Noonan, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 770. To authorize Madison County, Alabama, to levy a business or privilege fee upon any business, vocation, occupation, calling or profession for which a business or privilege fee or tax is not required for either the State of Alabama or the county by the laws of the State of

Alabama, and to limit the amount of any such business or privilege license fee.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, King, McDonald (A), Mims, Mitchell, Noonan, Owen, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 824. Relating to counties having populations of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census, to provide for the payment of benefits to the employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such counties who are killed in the performance of their official duties, and repealing all conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 920. To provide for additional expense allowances for certain public officials in Washington County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 979. Relating to the third judicial circuit; authorizing the district attorney to appoint an additional secretarial assistant and providing for the compensation of such secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1064. To create the office of license commissioner in Houston County; to provide for his appointment and future election; to fix his compensation and allowance, prescribe his duties, define his powers and provide for the operation of his office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Wilson.

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Nays:

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The Bill:

H. 1735. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan,

Owen, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1249. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms of provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

S. 1252. To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize local governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following substitute for the Bill, S. B. 1252, to-wit:

SUBSTITUTE FOR SENATE BILL 1252

A BILL TO BE ENTITLED AN ACT

To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize county governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. For the further protection of the health and safety of the people of Alabama, and to promote uniformity in building regulations, the State hereby adopts the following minimum codes, which shall apply in each such county to the design, construction, repair, use and alteration of all buildings:

Southern Standard Building Code (1973 Edition) with 1975 revision

Standard Plumbing Code (1975 Edition)

Southern Standard Gas Code (1973 Edition) with 1974 revision

Southern Standard Mechanical Code (1973 Edition) with 1975 revision

National Electrical Code (1975 Edition)

Section 2. The following exceptions may be excluded by county governing bodies from the provisions of these minimum codes:

1. One and two family dwellings and out buildings in connection therewith.

2. Farm buildings.

Nothing in these minimum codes shall apply to any building or project authorized or licensed by the Nuclear Regulatory Commission, or the Federal Power Commission. County governing bodies may modify these minimum codes for application within their area of jurisdiction by adopting provisions more stringent than the codes set forth above, and also may amend and revise these codes by adopting more recent amendments or additions of the named codes.

Section 3. County governing bodies are authorized to adopt rules and regulations pursuant to the administration and enforcement of the named codes and to establish agencies or departments which shall have the authority for and responsibility of enforcing provisions of this act. The area of jurisdiction of the county shall be all of the area of the county excluding that within the city limits of a municipality which has established its own code enforcement agency.

Section 4. County governing bodies having established an enforcement program may prescribe and exact fees and charges to be paid.

All permit and inspection fees collected pursuant to this act shall be paid into the treasury of the county governing bodies prescribing them.

Section 5. Any person violating any of the provisions of this act or failing to comply with any of the provisions of this act after ten days written notice of an enforcement agency shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars or thirty days in jail, or both, and a penalty of fifty dollars per day during the continuance of the violation.

Section 6. This act shall not be construed to impair or limit in any way the power of county governing bodies to enjoin or abate public nuisances within their jurisdiction.

Section 7. Nothing in this act shall be construed as abrogating or otherwise affecting the power of any state department or agency to promulgate regulations, make inspections, or approve plans in accordance with any other applicable provisions of law not in conflict with the provisions herein.

Section 8. This act shall be liberally construed as being additional authority to county governing bodies to adopt ordinances relating to the establishment and enforcement of minimum standards for buildings, dwellings, and the structures of all types and descriptions used for human habitation and occupancy. The authority conferred on county governing bodies by this act is cumulative to and in addition to other existing legal authority.

Section 9. Mobile Homes, as defined in Act No. 1938, H. 262, Regular Session 1971 is specifically excluded from the provisions of this act.

Section 10. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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And said Bill, S. B. 1252, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 391. Commending and Memorializing Dr. Frederick D. Patterson, Founder and Honorary President of the United Negro College Fund.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1321. To apply to every county of the State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county may provide by ordinance for taking possession of, storing and selling any abandoned, stolen or contraband property found in the county; to provide that any such ordinance may prescribe the conditions on which such property may be taken into possession, stored and sold; and to provide what other provisions any such ordinance shall contain.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1322. To apply to every county of this State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county shall be authorized to provide an auxiliary courtroom for any inferior court established in the county if public need and public interest so require and to discontinue any such auxiliary courtroom the maintenance of which public need and public interest do not require.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

H. 1660. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to allow for the lawful dispensing by any food-service establishment of sugar in containers other than individual, single service packages.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Wilson.

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Nays:

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The Bill:

S. 1179. To provide for Supernumerary-Retired Probate Judges in all counties having a population of not less than 300,000 nor more than 600,000 inhabitants according to the most recent federal decennial census; to prescribe the qualifications, term, duties, powers, authority, compensation and benefits of such supernumeraries; to provide for a Probate Judges Retirement Fund in such counties; to regulate the administration and supervision of said Fund and to repeal all conflicting statutes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1237. Relating to counties having a population of not less than 90,000 nor more than 100,000 according to the most recent federal decennial census; levying a privilege license tax upon the sale, use or consumption, distributing, storing or withdrawing from storage, of malt or brewed beverages within such counties; providing for the collection and distribution of the proceeds of said tax; providing for the administration of the Act; providing penalties for violations of the act; repealing conflicting laws, including municipal ordinances; providing that this Act be severable; and providing for the effective date hereof.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 1237, to-wit:

COMMITTEE AMENDMENT TO S. B. 1237

Amend S. B. 1237, Section 5 c), (page number 6, line 19) by adding immediately after the words, "total sales," the words, "by size of container".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Waldrop.

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Nays:

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The Standing Committee on Local Legislation No. 1 then reported the following amendment to the Bill, S. B. 1237, as amended, to-wit:

COMMITTEE AMENDMENT TO S. B. 1237, AS AMENDED

Amend S. B. 1237, Section 3, by adding at the end of said section the following:

F) All proceeds of the tax levied by this Act, less costs of collection, upon the sale, use or consumption, distribution, storing or withdrawing from storage of draft beer in such counties shall be distributed to the city and county boards of education in such counties, to be divided in accordance with the most recent average daily attendance figures, to be used for capital outlay purposes, renovation and repairs.

G) All proceeds of the tax levied by this Act, less costs of collection, upon the sale, use or consumption, storing or withdrawing from storage of malt or brewed beverages (including draft beer) shall be distributed on a monthly basis. All such proceeds must be distributed on or before the 15th day of the month following the month during which it is determined how such proceeds should be distributed according to the locations to which said beverages are delivered for sale, as determined by the distributors and sellers sworn monthly statements.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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And said Bill, S. B. 1237, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1242. Relating to Cullman County: providing further for the government of the county; abolishing the county commission created by Act No. 167, H. 422 of the Regular Session of 1959, and creating a new commission in lieu thereof; providing for the selection of the members of such commission; prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission hereby created, and for the powers and duties of the individual members thereof; providing for and regulating county purchasing and the custody and use of certain county property; divesting the highway department of certain county functions and duties in relation to roads and bridges in Cullman County, heretofore transferred to it, and revesting such functions in the county governing body of Cullman County, providing, however, for the construction, maintenance and repair of county roads on the unit basis; providing for the transfer of certain funds, equipment, material and personnel from the state highway department to the commission hereby created; providing for the payment of salaries of certain county employees; providing that this Act shall become effective only upon a referendum at which two questions shall be submitted: 1. Shall Cullman County take over the construction of its own roads and bridges? and 2. Shall the present governing body of Cullman County be abolished and a new governing body be created as prescribed in this Act?

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1253. To authorize the governing body of any city having a population of not less than 22,000 nor more than 25,000 according to the most recent federal decennial census, to establish a parking authority as a public corporation for the purposes of financing, acquiring, constructing,

enlarging, equipping, improving, maintaining, developing, and operating facilities for parking motor vehicles, and related facilities including offices for any such authority, and leasing or letting such buildings, structures or facilities; to authorize such authority to issue bonds of indebtedness, enter into contracts, acquire and dispose of properties to provide that such bonds shall be negotiable instruments; to authorize such authority to exercise all powers, privileges and rights necessary to implement the provisions of this Act; to provide for the dissolution of the authority and the disposition of its property and to repeal all conflicting statutes.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, Little, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1255. Relating to counties having a population of not less than 41,500 nor more than 45,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the county court.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca.

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Nays:

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The Bill:

S. 1254. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Citronelle, in Mobile County.

was taken up.

Mr. Owen offered the following substitute for the Bill, S. B. 1254, to-wit:

SUBSTITUTE FOR S. B. 1254

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Citronelle, in Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the municipality of Citronelle in Mobile County are hereby altered, rearranged and extended so as to include within the corporate limits of said municipality, in addition to the lands now included, all of the following territory, to-wit:

PROPERTY TO BE ANNEXED TO THE CITY OF CITRONELLE, ALABAMA

Beginning at the intersection of State Street and Alabama State Highway 96, on the west side of Citronelle, Mobile County, Alabama, then proceed generally west on Alabama State Highway 96 along the center line of the right-of-way and for a distance of 30 feet on each side of the center line of right-of-way of Alabama State Highway 96 to the west side of Section 5, Township 1 North, Range 3 West. From the Southwest corner of Section 5, Township 1 North, Range 3 West run North 00-36-28 East, 2601.38 feet, to the South right-of-way of Alabama State Highway 96, thence run East along South right-of-way 1309.72 feet to the point of beginning of this description, thence run South 14-20-45 West, 1295.20 feet; South 35-03-10 East, 85.73 feet; North 52-56-27 East, 929.34 feet; North 12-11-46 East, 175.83 feet; North 60-33-57 East, 864.60 feet; South 86-03-11 East, 869.78 feet; North 73-43-43 East, 131.13 feet; South 81-38-49 East, 614.40 feet; North 86-57-16 East, 845.68 feet; South 62-04-04 East, 325.07 feet; South 17-54-02 East, 97.71 feet; South 27-05-58 West, 684.91 feet; South 39-32-31 West, 60.66 feet; South 20-55-36 West, 879.8 feet; North 83-08-04 West, 159.26 feet; North 78-50-43 West, 694.37 feet; South 47-52-30 West, 346.55 feet; South 52-09-51 West, 893.09 feet; North 56-47-26 West, 963.58 feet; North 86-24-37 West, 319.36 feet; North 82-07-16 West, 840.93 feet; South 10-20-11 West, 697.89 feet; North 89-24-27 West, 60.88 feet; North 10-20-11 East, 705.62 feet; North 82-07-16 West, 50.0 feet; South 32-35-17 West, 680.91 feet; North 54-14-41 West, 243.74 feet; North 09-05-22 West, 264.55 feet; North 44-10-42 East, 413.27 feet; North 00-36-28 East, 546.42 feet; South 89-23-32 East, 443.76 feet; North 14-20-45 East, 1279.85 feet to said South right-of-way, thence run East, 61.94 feet to the point of beginning.

The Northwest quarter of Section 8, Township 1 North, Range 3 West, the Northeast quarter of Section 7, Township 1 North, Range 3 West, the East one-half of the Northwest quarter of Section 7, Township 1 North, Range 3 West, the East one-half of the Southwest quarter of Section 7, Township 1 North, Range 3 West, the Southwest quarter of the Southeast quarter of Section 7, Township 1 North, Range 3 West.

Excepting therefrom the present city limits of the City of Citronelle, Alabama and the property of Georgia Pacific Mill located in Section 25, T-2-N, R-3-W Mobile County, Alabama, said exception being more particularly described as follows:

CITY OF CITRONELLE, ALABAMA

The South one-half of Section 25, T-2-N, R-3-W. The East one-half of Southeast quarter of Section 26, T-2-N, R-3-W. The East one-half of the East one-half of Section 35, T-2-N, R-3-W. All of Section 36, T-2-N, R-3-W. The Northeast one quarter of the Northeast one quarter of Section 2, T-1-

N, R-3-W. The North one-half of Northwest one quarter of Section 1, T-1-N, R-3-W. The East one-half of Section 1, T-1-N, R-3-W. The East one-half of Southwest quarter of Section 1, T-1-N, R-3-W. The Southeast one quarter of the Northwest one quarter of Section 1, T-1-N, R-3-W. The West one-half of Section 31, T-2-N, R-2-W. The West one-half of Section 6, T-1-N, R-2-W.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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And said Bill, S. B. 1254, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 186. Relating to Montgomery County: To authorize and establish the office of warrant magistrate; to provide for the appointment of three warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment of same; to repeal conflicting laws.

was taken up.

Mr. Mitchell offered the following amendment to the Bill, H. B. 186, to-wit:

AMENDMENT TO H. B. 186

Amend House Bill No. 186 Page 1, by deleting Section 2 in its entirety and substituting in lieu thereof the following:

Section 2. Appointment; tenure of office. The Probate Judge of Montgomery County shall appoint three warrant magistrates for any such area of said county.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 186, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 450. Relating to Jackson County, providing for a salary for the chairman of the county governing body and providing for a monthly expense allowance for the chairman and members of said county governing body.

was taken up.

Mr. Baker offered the following substitute for the Bill, H. B. 450, to-wit:

SUBSTITUTE FOR H. B. 450

A BILL TO BE ENTITLED AN ACT

Relating to Jackson County, providing for a salary for the chairman of the county governing body and providing for a monthly expense allowance for the chairman and members of said county governing body.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the governing body of Jackson County shall receive, upon the expiration of the present term of office, a monthly salary of \$1,250.00, which shall be payable from the general funds of said county. The members of the county governing body, except the chairman,

shall each receive, upon the expiration of their present terms of office, a monthly salary of \$400.00 plus 15¢ per mile travel expenses for one trip each week from their home to Jackson County courthouse to be paid from the general funds of said county.

The salary provision and expense allowances hereinabove provided for the chairman and members of the county governing body shall be in lieu of any previous salary or expense allowances now payable to such persons.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flippo, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 450, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flippo, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 928. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 927. Relating to St. Clair County, providing for the salaries of the chief deputy sheriff and the existing deputy sheriffs, providing for the hiring of additional deputy sheriffs for said county, and providing retroactive effect to the provisions of this act.

Also:

H. 1599. Relating to the employment of law enforcement officers in counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing particularly for the employment of law enforcement officers, deputies, jailers and civilians in the sheriffs' offices or by municipalities in such counties.

Also:

H. 1631. To create the District Court of Fayette County and to provide for its jurisdiction and functions, and to abolish the Juvenile Court of Fayette County and the County Court of Fayette County created by Act Number 27, Acts. 1963.

Also:

H. 1632. To provide an additional expense allowance for the probate judge of every county having a population of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1638. To provide for additional expense allowances for the tax assessor and tax collector in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1640. To provide for an expense allowance for the Sheriff in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for the salaries of certain deputy sheriffs in such counties and to repeal all conflicting statutes.

Also:

H. 1641. To provide for the salary of the judge of probate of all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

Also:

H. 1654. To provide for the payment of a county supplement to the salary paid by the state for the assistant district attorney in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1655. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent

federal decennial census; to provide for the salaries of the judges of the county courts and the clerk of the county courts that are located at a place other than the county seat in such counties and to provide for an expense allowance for said judges in such counties.

Also:

H. 1656. Relating to Washington County; to provide an additional expense allowance for members of the county school board.

Also:

H. 1657. To amend Act No. 274, S. 111, Second Special Session 1971 (Acts 1971, p. 4542), entitled, "An Act Relating to counties having populations of not less than 34,100 nor more than 34,900 according to the most recent federal decennial census; to provide for an annual expense allowance for the deputy district attorney of such counties," so as to provide further for the expense allowances of such deputy district attorneys.

Also:

H. 1692. Relating to any county having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; authorizing the governing body to appropriate county funds to all organized fire departments of the county.

Also:

H. 1587. Proposing an amendment to the Constitution of Alabama relating to compensation of certain officers of Coosa County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 995. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flipppo, Foshee, Givhan,

Jones, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1149. Relating to Geneva County; to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1121. To amend further Act No. 263, S. 222, Special Session 1961 (Acts 1961, p. 2280), relating to the compensation of election officers in counties having populations of not less than 300,000 nor more than 500,000.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1121, to-wit:

COMMITTEE AMENDMENT TO H. B. 1121

Amend House Bill No. 1121 Page 1 Line 31, by striking out after the word "provided." "The county treasury of the counties to which this act applies shall not be reimbursed for the amount by which the above described compensation exceeds the compensation prescribed by the general law for election officers."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Flipppo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1121, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1162. To further amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, as amended, to provide for an increase in funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1164. To further amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as amended, to provide for an increase in funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King,

Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1200. To amend Section 3 of Act No. 2137 (H. 2624), approved October 1, 1971, entitled: "An Act relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Flippo, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1201. To provide that when any physician, dentist, nurse, member of any organized rescue squad, or member of any police or fire department in any county of a population of 170,000 to 300,000, or in any city or town located in any county of a population of 170,000 to 300,000; any Alabama-licensed emergency medical technician, medical student, intern or resident practicing in a hospital in any county of a population of 170,000 to 300,000, with a training program approved by the American Medical Association; any employee of any public hospital corporation authorized to operate and operating an emergency ambulance service under the provisions of Act 2137, 1971 Legislature of Alabama, as

amended; or any owner or employee of any licensee, franchisee, or contractor of any public hospital corporation in any county of a population of 170,000 to 300,000 gratuitously and in good faith renders first aid or emergency care to persons injured, or gives advice to anyone rendering aid or emergency care to persons injured, he shall not be liable for civil damages as a result of the acts or omissions resulting from said emergency care.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Flippo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1264. Relating to Madison County; to amend Act No. 120, H. 599, of the 1973 Regular Session; to authorize the governing body of said county to expend funds to reimburse the Tax Assessor for travel performed in the county in connection with the duties of that office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1279. To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1299. To amend Act 618 of the Regular Session of 1973 to provide further concerning the power of the council.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1301. To amend Act 618 of the Regular Session of 1973 to provide further concerning the powers and duties of the mayor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1382. Relating to counties having a population of not less than 115,000 nor greater than 150,000, according to the latest federal decennial census; providing that the sheriff in such counties shall receive \$350 per month expense allowance, to become salary at the end of the present incumbent's term of office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 131. COMMENDING DEAN PIERCE FOR 20 YEARS AS DEAN OF EDUCATION AT AUBURN.

Also:

S. J. R. 134. COMMENDING THE ALABAMA COUNTRY GOSPEL MUSIC ASSOCIATION.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1466. To provide for the creation, incorporation, organization, operation, administration, and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, supplying water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services; and the guarding and protection of lives and property; to provide for the fixing, levy and collection of rates, fees and charges for such services, penalties for non-payment, and liens upon the property in the District to enforce the payment of such charges; and to provide for the borrowing of money and the issuance of bonds or other obligations by or on behalf of such districts.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1466, to-wit:

SENATE LOCAL LEGISLATION NO. 1
COMMITTEE SUBSTITUTE FOR H. B. 1466

A BILL
TO BE ENTITLED
AN ACT

To provide for the creation, incorporation, organization, operation, administration, and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, supplying water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services; and the guarding and protection of lives and property; to provide for the fixing, levy and collection of taxes, rates, fees and charges for such services, to constitute such taxes, fees and charges a debt of and claim against those owning property or residing within the District and a lien upon the property in the District; to provide penalties for non-payment; and to provide for the borrowing of money and the issuance of bonds or other obligations by or on behalf of such districts.

Be It Enacted by the Legislature of Alabama as follows:

Section 1. The following terms when used or referred to in this act shall have the following meanings respectively unless a different meaning clearly appears from the context:

“Board of Directors” shall mean the board of directors or other governing body of the District.

“County” shall mean Shelby County.

“County Commission” shall mean the present governing body of Shelby County and any successor to its functions and duties.

“District” shall mean a public corporation created pursuant to this act.

“Residence” shall mean a building in the Territory occupied as the place of domicile of any family. Any single family dwelling whether located in a duplex, apartment or housing project or complex, shall be considered a residence. A single room in a hotel, boarding or rooming house shall not be considered a residence.

“Services” shall mean any one or more of the following, which shall be stated as the purpose of the District in its certificate of incorporation: the fighting and prevention of fires; the supply of water; the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes; the operation of emergency medical services, including rescue and ambulance services; the guarding and protection of lives and property; and such other local services as shall be approved by the County Commission for inclusion in the certificate of incorporation.

“Territory” shall mean the area included in and served by the District, as stated in its certificate of incorporation.

Section 2. Requisites for Incorporation. The citizens of any area in the County in which as many as 200 Residences are located may be incorporated as a District under this act. All or any part of the area within the corporate limits of an incorporated municipality may be included in the **Territory of the District, but such Territory shall not include any such area within the corporate limits unless the governing body of such municipality shall have adopted a resolution consenting to such inclusion.**

Section 3. Petition for Incorporation. Any fifty or more qualified electors residing within the Territory proposed to be included in a District may petition the County Commission to cause a District to be incorporated and organized under this act. The petition shall be in writing, shall describe the Territory to be included in the District, shall state that at least 200 Residences are located within the Territory, and shall have attached thereto the proposed certificate of incorporation and, if the Territory includes any area within the corporate limits of an incorporated municipality, the resolution of the governing body of such municipality consenting to the inclusion of such area in the Territory of the District.

Section 4. Certificate of Incorporation. The proposed certificate of incorporation shall state the following:

a. The name of the District, which shall be “The _____ (a numerical designation of the District or a name which generally designates the Territory) _____ (a brief description of the principal Services to be rendered) District of Shelby County”;

- b. The legal description of the Territory of the District;
- c. The Services to be rendered;
- d. The location of the principal office, which shall be at the County Court House; and
- e. A blank space left for the insertion by the County Commission of the names and terms of office of the initial members of the Board of Directors.

One of the persons who presents and files the petition with the County Commission shall attach thereto an affidavit that the signatures on the petition are the genuine signatures of the persons who signed their names thereto, that they are qualified electors resident in the Territory and that within the Territory are located at least two hundred Residences.

Section 5. Submission of Question. If a petition shall have been filed with the County Commission and the County Commission shall have determined that the representations therein are true and that it is wise, expedient or necessary that the District be incorporated, it shall call an election and shall cause the question:

“Shall the citizens of _____ (describe generally the Territory), more particularly described in a petition filed with the County Commission of Shelby County, be incorporated as the _____ District of Shelby County, to provide the following Services:
in such Territory?”

to be submitted to the determination of the qualified electors resident in the Territory of the District at such election. If the petition shall have been filed not more than sixty days and not less than thirty days prior to any general county or state election, the election shall be held along with such general county or state election; but if the petition shall not have been filed so as to permit the question to be submitted at a general county or state election to be held not more than sixty days nor less than thirty days prior to any general county or state election, the County Commission shall at its next regular meeting succeeding the filing of the petition, call a special election to be held on a designated date, which day shall not be less than thirty days nor more than sixty days from the date of such regular meeting.

Section 6. Election Laws Apply; Appropriation for Expenses. The provisions of the election laws providing for the registration of voters, equipment of polling places, furnishing of supplies, appointment of election officers, absentee ballots, voting and canvassing of returns and declaration of results at a county election, shall apply to such election. The County Commission is authorized to appropriate such funds as are required to pay expenses of such election.

Section 7. Publication of Notice and Conduct of Election. The Judge of Probate shall cause notice of the filing of the petition and the question to be submitted to be published at least once on the same day of each week for three consecutive weeks in a newspaper published or of general circulation in the Territory. If no such newspaper is published or circulated in the Territory, such notice shall be posted in three public places in the Territory, at least 3 weeks before the election. The determination of the

County Commission as to whether or not a newspaper is published or circulated in the Territory shall be conclusive.

Section 8. Form of Ballot. The question shall be printed on the ballots and on the voting machine counters. Beside the question there shall be placed the voting squares or voting levers, with the word "Yes" for voting for the question so submitted, and the word "No" for voting against the question so submitted.

Section 9. Canvass of Returns and Declaration of Results. The returns of the election shall be canvassed and the results declared by the Election Commission of the County and a copy of such declaration shall be filed with the County Commission. At the regular meeting of the County Commission next succeeding the completion of the canvass of returns and declaration of results of the election, the County Commission shall adopt a resolution setting forth the question submitted at the election, the number of votes cast for the question and the number of votes cast against the question. If the number of votes cast for the election exceeds the number of votes cast against the question at such election, such resolution shall declare the citizens of Shelby County who are inhabitants of the Territory to be incorporated under the name set forth in the petition and the proposed certificate of incorporation. At such meeting the County Commission shall appoint the first members of the Board of Directors of the District as hereinafter provided.

Section 10. When District Deemed Incorporated. The citizens of the County who are inhabitants of the Territory with respect to which an election shall have been held and the results shall have been declared in favor of the question submitted, shall become and be an incorporated District under this act from and after the date of adoption of the resolution of the County Commission declaring that such citizens be so incorporated. Within three days after the adoption of such resolution by the County Commission, a certified copy thereof together with a copy of the certificate of incorporation executed by the first members of the Board of Directors appointed by the County Commission shall be filed in the office of the Judge of Probate of the County and recorded by him in incorporation records and a copy shall be transmitted to the Secretary of State.

Section 11. Board of Directors. The County Commission shall appoint three persons who reside in the Territory as members of the Board of Directors or governing body of the District at the meeting at which the District is declared to be incorporated. The term of office of the initial members of the Board of Directors shall be one, two and three years respectively and thereafter the term of office of each member shall be for three years. Members shall hold office until their successors are appointed and qualify. Any vacancy shall be filled by appointment by the County Commission for the unexpired term. The County Commission may remove any member of the Board of Directors within the term for which he shall have been appointed after giving to such member a copy of the charges against him and an opportunity to be heard in his defense. The action of the County Commission in removing any member shall be final and nonreviewable.

Section 12. Organization of Board of Directors; Officers. The three members of the Board of Directors initially appointed by the County Commission and named in the certificate of incorporation shall meet as soon as practicable after the certificate of incorporation shall have been filed as provided in Section 10 of this act and they shall organize. At such

meeting and at the first meeting in each fiscal year of the District thereafter, the members of the Board of Directors shall choose from their number a president and a vice president. They may also choose a secretary and such assistant secretaries, and other officers as are provided for in its bylaws, but none of such officers shall be required to be a member of the Board of Directors. The County Treasurer or County Depository of the County shall be treasurer or depository of the District.

Section 13. Compensation of Members and Employees. The Board of Directors may delegate to one or more of its members, or to its agents or employees, such powers and duties as it may deem proper and fix the compensation of such agents or employees; provided, however, that members of the Board of Directors shall not be entitled to any compensation for their services, but they may receive reimbursement for expenses incurred in the performance of their duties.

Section 14. Enlargement of Services. The District shall not provide any of the Services not designated in its certificate of incorporation unless the additional Services shall have been submitted to and approved by the electors of the Territory of the District. If the Board of Directors of the District shall by resolution request the County Commission to submit the question of furnishing such additional Services, or if a petition signed by fifty or more qualified electors residing within the Territory requesting the submission of such question and executed as provided in the case of petitions for the submission to vote on the question of incorporating a District under this act shall be filed with the County Commission, the County Commission shall, if it determines that it is wise, expedient or necessary that the certificate of incorporation be amended to include such Services, call an election for the submission of the question at a special election in the Territory to be held not less than thirty nor more than sixty days after the adoption of such resolution or the filing of such petition or at the next general election in the County or State if the same is to be held not less than thirty nor more than sixty days after such filing. The mode or method of procedure for the submission of such question, the publication of notice of the election, the conduct of the election, and the canvassing of returns and declaration of results shall conform as nearly as may be practicable to the mode or method of procedure for the submission of the question of the incorporation of such District at an election as hereinabove provided. If the number of votes cast in favor of the furnishing of such additional services exceeds the number of votes cast against the furnishing of such additional services, the County Commission shall adopt a resolution declaring such result and the president or vice president of the District shall execute a certificate of amendment stating that the certificate of incorporation of the District has been amended to include authority to engage in such additional Services, and he shall file such certificate of amendment and a copy of the resolution of the County Commission within three days after the County Commission shall have declared that the election resulted in favor of the amendment, in the office of the Judge of Probate of the County, where it shall be recorded in incorporation records, and a copy shall be transmitted to the Secretary of State.

Section 15. Diminution of Services. The services of the District shall not be diminished so as to exclude the furnishing of any of the Services authorized in its Certificate of Incorporation or an amendment thereto unless and until all bonds issued by the District pursuant to this act and interest and premium, if any, thereon, shall have been paid or

discharged, except with the consent of the holders of all bonds then outstanding which are secured in whole or in part by a pledge of the revenues derived from the furnishing of the Services to be excluded. Thereafter such Services may be diminished and the mode or method of procedure for the diminishing of such Services shall conform as nearly as may be practicable to the provisions of this act relative to the manner of enlarging the Services of the District. The County Commission shall call and conduct elections on the question of such diminution. If the number of votes cast in favor of the reduction or diminution of Services exceeds the number of votes cast against the diminution of such Services at such election, the County Commission shall adopt a resolution declaring such result and the president or vice president of the District shall execute a certificate of amendment stating that the certificate of incorporation of the District has been amended by the deletion of authority to engage in such Services, and he shall, within three days after the County Commission shall have declared that the election resulted in favor of the deletion of the Service, file such certificate of amendment and a copy of the resolution of the County Commission in the office of the Judge of Probate of the County, where it shall be recorded in incorporation records, and a copy shall be transmitted to the Secretary of State.

Section 16. Limitation on Elections. Not more than one election shall be held in any Territory upon the question of enlarging or diminishing services in any period of two years and not more than two elections shall be held upon the question of incorporating a District embracing all or any substantial portion of the same Territory in any period of two years.

Section 17. Corporate Purpose of District and General Grant of Power. Each District incorporated under this act is hereby vested with all power necessary or desirable for the performance of the Services stated in the certificate of incorporation of the District which are capable of being delegated by the Legislature of the State of Alabama. Without limiting the generality of the foregoing, each District shall have the power to acquire, construct, reconstruct, extend, improve and maintain and operate any plant, works, systems, facilities or properties together with all parts thereof and appurtenances thereto, used or useful in the performance of the **Services authorized in its certificate of incorporation.** The District is empowered to do all acts necessary, proper, or convenient in the exercise of the powers granted by this act.

Section 18. Grant of Specific Powers. Each District incorporated under this act shall have power: to sue and be sued; to have a seal and alter the same at pleasure; to acquire, by purchase, gift, devise, lease or exercise of the power of eminent domain, or other mode of acquisition, hold and dispose of, and grant options with respect to the property, real and personal, tangible and intangible, and any interest therein, in its own name, subject to mortgages or other liens or otherwise and to pay therefor in case or on credit, and to provide for and secure payment of all or any part of the purchase price thereof on such terms and conditions as it shall determine; to make and enter into contracts, indentures of trust, leases and bonds; to borrow money and to issue negotiable bonds and promissory notes and provide for the rights of the holders thereof; to fix, maintain, alter from time to time and collect reasonable taxes, rates, fees and charges for any Services; to pledge all or any part of its revenues; to constitute such taxes, fees and charges a debt and claim against those residing or owning property within the District and a lien upon the property within the district; to cut off and refuse Services to any person or property when

the fee or charge for such service has not been paid; to make such covenants in connection with the issuance of bonds or notes or in order to secure the payment of notes or bonds, that a private business corporation can make under the general laws of the State, notwithstanding that such covenants may operate as limitations upon the exercise of any of the powers granted by this act; to enter on any lands, waters and premises for the purpose of making surveys, soundings and examinations; to perform any and all acts and do any and all things by contract or contracts, or under, through or by means of its own officers, agents and employees; to pay to the County the proportionate cost of any shared service; to purchase, produce or otherwise secure such property and services as it requires in the furnishing of the Services; to exercise all powers of eminent domain now or hereafter conferred on counties in the State; provided, however that the District shall not borrow money, purchase in any one fiscal year more than \$5,000 of property or services on credit, or issue any bonds or promissory notes without the prior approval of the County Commission expressed by resolution duly adopted by it.

Section 19. Moneys of District. All moneys of the District from whatever source derived, shall be paid to the treasurer or depository of the County and shall be held by him or it in a separate and special account for the use and benefit of the District. The moneys in said account or accounts shall be paid out on check or warrant of the treasurer or depository on requisition of the Board of Directors or such other person or persons as the District may authorize to make such requisitions. All deposits of such moneys shall, if required by the Board of Directors of the District or by the County Commission, be secured in the same manner as deposits of County funds. This section shall not be construed as limiting the power of the District to agree as to the custody or disposition of moneys or revenues for the security of its bonds or notes; provided, however, that the moneys of the District shall not be entrusted to any person, firm or corporation unless adequate security for its protection shall be given.

Section 20. Fiscal Year of the District. Audit of Books. The District shall have a fiscal year beginning October 1 and ending September 30 of the next succeeding year. The County Commission shall require an annual audit of the records and books and accounts of the District, including its receipts, disbursements, contracts, leases, sinking funds, investments and any other matters relating to its financial standing. A copy of the report of audit shall be furnished to the Board of Directors and the County Commission and a copy shall be kept available in the County Courthouse for public inspection. The trustee or trustees of the holders of any outstanding bonds may require a special audit and examination of the books, records and accounts of the District. Each audit required by this section shall be at the expense of the District.

Section 22. Bonds of the District. Bonds of each District shall be authorized by resolution of the Board of Directors and may be issued in one or more series, may bear such date or dates, mature at such time or times, not exceeding 40 years from their respective dates, bear interest at such rate or rates, whether in excess of the general laws limiting the rates of interest or governing usury or not, be in such denomination or denominations, be in such form, either coupon or registered, be executed in such manner, be payable in such medium of payment, at such place or places, within or without the State of Alabama, and be subject to such terms of redemption, with or without premium, be declared or become due before the maturity date thereof, as such resolution or resolutions may

provide. Such bonds may be issued for money or property, at public or private sale for such price or prices as the Board of Directors shall determine. Pending the preparation or execution of definitive bonds, interim receipts or certificates or temporary bonds may be delivered to the purchaser or purchasers of such bonds. Such bonds may be purchased by the District out of any funds available for such purpose at a price not greater than the principal amount thereof and accrued interest, and all bonds so purchased shall be cancelled.

Section 22. Liability on bonds and other obligations. No bond or other obligation of any District incorporated under this act shall be a debt or obligation of the State of Alabama, the County or any municipality in the County; and neither the State, nor the County nor any municipality in the County shall be liable in any way whatsoever thereon, nor shall the holder of any such bond or obligation compel the levy of any taxes for its payment. Said bonds shall not be payable out of any funds other than those of the District issuing the same and each bond shall contain a recital to that effect. Neither the members of the Board of Directors nor any person executing such bond or obligation shall be liable personally thereon by reason of the issuance thereof.

Section 23. Rights and Remedies of bondholders. In addition to all other rights and all other remedies provided by law, the holder or holders of any bond or bonds of any District including the trustee or trustees for bondholders shall have the right, subject to any contractual limitations binding upon such bondholder or holders or trustee, and subject to the prior or superior rights of others: to sue on the bonds; by mandamus or other suit, civil action or proceeding, to enforce his rights against the District, including the right to require the District to fix, alter and collect rates, fees and charges adequate to carry out any agreement as to, or pledge of, the revenues produced by such rates or charges, and to require the District to carry out any other covenants and agreements with such bondholder and to perform its and their duties under this act; by civil action to require the District to account as if it were the trustee of an express trust for such bondholder; by civil action to enjoin any act or thing which may be unlawful or in violation of the rights of such bondholder; by civil action or proceeding in any court of competent jurisdiction, to obtain in the event of default by the District in the payment when due of his or their bond or bonds or interest thereon, the appointment of a receiver of the property of the District or any part or parts thereof, and such receiver may enter and take possession of such property or any part or parts thereof; and such receiver may engage in furnishing the Services, operate and maintain the property and facilities of the District, fix, alter, and collect rates, fees and charges for the Services, and receive all revenues thereafter arising therefrom in the same manner as the District itself might do; foreclose liens on property to secure the payment of charges for the services; and shall deposit such moneys in a separate account or accounts and apply the same in accordance with the obligations of the District as the court shall direct.

Section 24. District as independent instrumentality. This act is intended to aid the State and the County in the execution of their duties by providing appropriate and independent instrumentalities in the County with full and adequate power to fulfill their functions. Except as in this act otherwise expressly provided, except for such approval by the Alabama Water Improvement Commission, if any, as may be required by Act No. 1260 enacted at the 1971 Regular Session of the Legislature of Alabama

and except for such approval by the State Board of Health, if any, as may be required by Act No. 1127 enacted at the 1969 regular session of the Legislature of Alabama, it shall not be necessary for any District to obtain, prior to engaging in furnishing the Services, or acquiring, constructing, reconstructing, improving, or extending any plant or system or facilities, required for the Services of the District, any certificate of convenience and necessary, franchise, license, permit or any other authorization from the State or the County or any board, bureau, commission, department or other agency thereof.

Section 25. Agreement of State. The State of Alabama does hereby pledge to and agree with the holders of all bonds and notes issued by any District pursuant to this act that the State will not limit or alter the rights and powers hereby vested in the District to fix, alter and collect such rates, fees and charges as may be necessary or desirable in order to produce sufficient revenue to meet all the expenses of maintenance and operation and to fulfill the terms of any agreement made with the holders of such bonds, until such bonds, together with interest and the premium, if any, thereon, and any interest on any unpaid installments of interest and all costs and expenses in connection with any suits, actions or proceedings filed on behalf of such bondholders, shall have been fully paid and discharged.

Section 26. Act Complete In Itself. Any District incorporated under this act shall be governed exclusively by the provisions of this act insofar as the subject matter of this act is concerned.

Section 27. Severability. If any section, portion, provision, or clause shall be held illegal, unconstitutional or invalid by any court of competent jurisdiction, the remaining provisions of this act shall nevertheless stand and be construed as if such illegal, unconstitutional or invalid portion, section or clause had not been included herein.

Section 28. Effective Date. This act is intended to implement and shall become effective upon the ratification of the constitutional amendment submitted by the Legislature at the present regular session thereof to authorize the Legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Shelby County as public corporations to provide local public services, including fighting and prevention of fires, furnishing water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services, and the guarding and protection of lives and property.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flipppo, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1466, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1479. Relating to DeKalb County; to provide an additional expense allowance for the chairman and members of the county commission.

was taken up.

Mr. Baker offered the following substitute for the Bill, H. B. 1479, to-wit:

SUBSTITUTE FOR H. B. 1479

A BILL TO BE ENTITLED AN ACT

Relating to DeKalb County; to provide an additional expense allowance for the chairman and members of the county commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the DeKalb County Commission shall receive an additional expense allowance in the amount of \$150.00 per month.

Section 2. The associate members of the DeKalb County Commission shall receive an additional expense allowance in the amount of \$50.00 per month.

Section 3. Commencing with the next term of office for which they are elected, the associate members of said DeKalb County Commission shall receive an additional expense allowance of another \$50.00 per month.

Section 4. The provisions of Section 1 of this Act shall expire and be null and void upon the beginning of the next term of office of the Chairman of the DeKalb County Commission.

Section 5. The expense allowances provided for by this Act shall be paid out of the county general fund and shall be in addition to any and all other salary, compensation and expense allowances provided for by law.

Section 6. The provisions of this Act shall become effective on the first day of the month next succeeding the date this Act becomes law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1479, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1532. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census to authorize the county commission to design, accept designs, and adopt an official county flag; to expend funds necessary for the making and designing an official flag of said county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1533. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide a clerical assistant to the tax collector.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1535. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional expense allowance for the county commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1563. To extend, alter and rearrange the boundaries and corporate limits of the Town of Killen so as to annex certain adjacent territory to the Town of Killen.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1536. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional clerk hire allowance for the tax assessor.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1580. Relating to Cullman County; to provide that the sheriff's department shall be authorized to employ an additional investigator and two additional deputies; to provide for their compensation and to provide an additional squad car for the sheriff's office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1581. Relating to Cullman County; to reimburse the office of the tax collector for any monetary loss resulting in the performance of official duties from errors or mistakes, made in good faith, and upon proper certification by the state auditor, not to exceed a maximum of fifteen hundred dollars per annum; making the provisions herein retroactive to October 1, 1972.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Flipppo, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1597. To provide that the Madison County Commission may employ a legislative aide to assist the Madison County Delegation to the Legislature of the State.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1619. To provide for the election of members of the county board of education of Chambers County, Alabama; to define the school districts from which the members of the county board of education are elected.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

H. 1627. To amend Act No. 716, H. 1486, 1973 Regular Session (Acts of 1973, p. 1071), entitled, "An Act Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit," so as to provide for an additional secretarial assistant and to effect changes in the salary of the investigator and the assistants.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1636. To alter or rearrange the boundary lines of the Town of Lowndesboro, Lowndes County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits

Nays:

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The Bill:

H. 1667. Relating to the coroner's office in all counties having populations of not less than 65,500 nor more than 75,200 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1668. To provide for branch banking in Winston County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1671. Relating to the Fifteenth Judicial Circuit of Montgomery County, to provide additional compensation or salary for the official court reporters; providing for the payment thereof from the county general fund and providing for a fee as part of cost for reporting a case.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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and also certain other territory contiguous thereto, in Lowndesboro, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1662. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1662, to-wit:

COMMITTEE AMENDMENT TO H. B. 1662

Amend H. B. 1662 as follows:

On Page 7, Section 12 change the semi-colon at the end of line 29 to a period and strike all of lines 30, 31, 32 and 33.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1662, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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addresses of the grantors and grantees, on all conveyances of real property; to become effective six months from the date this act becomes law.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1677. Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1678. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Walnut Grove, in Etowah County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1680. Relating to Blount County; to provide the county commissioners power to authorize county personnel to open graves for interment, repair and maintain existing roads, build roads, and other labor related thereto, in all private or public cemeteries, including any cemetery

The Bill:

H. 1673. Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session of the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1674. Relating to Monroe County; to authorize the Sheriff to mail subpoenas for jury duty and notices of appointment to election officials with first class postage and to authorize the county commission to make expenditures from the county general fund for such purpose.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1675. Relating to law enforcement in Monroe County; fixing the fee for the issuance of pistol permits; and prescribing the use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1676. Relating to Monroe County; to provide for the mailing

authority owned, governed, controlled, or operated by: any church or religious society or denomination, religious corporation, church, or corporation sole.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1681. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Snead, in Blount County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1683. To authorize and direct the Board of Education of Dale County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (A), Mims, Mitchell, Noonan, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1687. Relating to Henry County; to provide for the total rehabilitation of certain persons, both male and female, convicted of any

type crime and sentenced to a term of confinement in the county jail of such county.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1722. Relating to cities having a population of not less than 9,200 nor more than 9,400 inhabitants according to the most recent federal decennial census; to provide retirement allowances for elected officials in such cities and to provide for the payment of such allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1736. **To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.**

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1741. Amending Section 1 of Act No. 567, H. 1518 of the Regular Session of 1973 (Acts 1973, page 824) entitled An Act Relating to all

counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties, so as to increase the fees and charges set out therein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1742. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; requiring the county governing body to appropriate certain funds to the sheriff to be expended solely by him to cover expenses of his office.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1742, to-wit:

AMENDMENT TO H. B. 1742

Amend House Bill No. 1742 Page 1 Line 23, by striking out "\$750.00" and inserting: "\$1500.00"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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And said Bill, H. B. 1742, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 1747. To extend the boundaries of the City of Albertville in Marshall County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays: —0

The Bill:

H. 1748. To authorize the Board of Education of the City of Huntsville in Madison County to operate, either directly or by contract, a public transit system for the purpose of transporting pupils to and from the public schools of said city, to authorize a fare to be charged by said Board to students riding said public transit system calculated to yield to the Board the difference in public funds received by the Board for transportation and the cost of said service to the Board; to provide that the provisions of this act are severable; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays: —0

The Bill:

H. 1754. Relating to all counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; conferring additional powers on the circuit clerk and register.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, Jones, King, McDonald (A), McDonald (S), McMillan, Mitchell, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

The Bill:

H. 1561. To apply in all counties having populations of not less than 35,000 nor more than 38,000, according to the most recent Federal decennial census, to exempt any public water system from the payment of all state, county and municipal sales and use taxes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1755. To amend further Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts of 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessor and tax collector in each county having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (S), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1763. Relating to counties having populations of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide for an expense allowance for the probate judge of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1774. Relating to counties having a population of not less than 24,900 nor more than 25,150 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for members of the county commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1775. Relating to counties with populations of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; providing for an additional expense allowance for county judges of such counties, payable from the county general fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1779. Relating to Elmore County; to amend Section 4 of Act No. 997, H. 1177, Regular Session 1971 (Acts 1971, Vol. III, p. 1811), to further provide for the use of funds derived from the sale of pistol permits.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Wilson.

—25

Nays:

—0

The Bill:

H. 1780. Relating to Elmore County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties and prescribing certain other meeting places in lieu thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Flippo, Foshee, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1781. Relating to Elmore County; to provide further for expense allowances for members of the Elmore County Board of Registrars.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

H. 1787. Relating to counties with populations of not less than 16,700 nor more than 18,000 inhabitants according to the most recent federal decennial census; to authorize the county commission or other like county governing body of such counties to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor and circuit clerk; such clerks to be appointed for a term and paid an amount established by the said county commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Flippo, Foshee, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1791. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1792. To amend the title and Section 1 of Act No. 792, H. 924, 1969 (Acts of 1969, p. 1423) so as to provide a salary for the Lauderdale County board of registrars of \$25 per diem and to increase the hours which the place for registration shall be open.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Flippo, Gilmore, Givhan, Jones, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1793. Relating to Lauderdale County; to authorize the state highway department to use county road funds to maintain public cemetery roads.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Givhan, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1794. To empower the county commission of Lauderdale County to authorize any local bank to sell automobile license tags for the county, between the dates of October 1 and November 15 of each year.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1796. Relating to all counties having a population of not less than 90,000 nor more than 100,000 inhabitants according to the most recent federal decennial census; to provide that the county commission or other like governing body of such counties shall authorize the payment of a certain conditional supplement to the county judge's salary; and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Roberts, Shelby, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1797. Relating to Blount County; to provide further for the compensation of the judge of the Law and Equity Court of Blount County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1799. Relating to all counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; providing that the county governing bodies of such counties may appoint a deputy warrant clerk who shall be authorized under certain conditions to take affidavits and complaints, issue warrants of arrest in misdemeanor and felony cases and issue search warrants; permitting compensation therefor to be paid out of the general fund of the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 1800. Relating to Marshall County; requiring the board of registrars to hold voter registration meetings at each high school and college in the county twice a year; and to relieve them of the duty of visiting each precinct.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1801. To provide that the Planning Commission of the City of Huntsville, Alabama, created pursuant to Title 37, Section 788, 1940 Code of Alabama, shall consist of twelve (12) members, as herein provided; to provide that adoption or amendment of any plan shall be carried by the affirmative votes of not less than eight (8) members; to provide that six (6) members of the Commission shall constitute a quorum; and to provide that the approval of any subdivision, and the passage of any question before the Commission, other than the adoption or amendment of any plan, shall be carried by a majority vote of those members present.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, McDonald (A), McMillan, Mims, Noonan, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1868. To amend further Act No. 68, H. 92, First Special Session 1956, an act fixing the compensation of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1803. To regulate and control the operation and licensing of massage parlors within Cleburne county; and providing penalties for violation.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1469. To propose an amendment to the Constitution of Alabama which, if approved by the electors of Shelby County, would authorize the Legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires,

furnishing water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services, and the guarding and protection of lives and property; to provide for the fixing, levy and collection by such districts of rates, fees and charges for such services, penalties for non-payment and liens upon the property within such district; and to provide for the borrowing of money and the issuance of bonds and other obligations by or on behalf of such districts; and to ratify and confirm any such law enacted by the Legislature at or after its present session but prior to the ratification of the proposed amendment.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1818. Relating to Morgan County, to alter, rearrange and extend the boundary lines and the corporate limits of the Town of Falkville.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1819. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to appropriate not more than 1¢ per person according to the 1970 federal decennial census for celebrating the bicentennial observance during the fiscal year 1975-76.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Owen, Perloff, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1820. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to pay \$5.00 to each person attending an official school for election officials and who serve as an election official in the next election following such school.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1825. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; authorizing the county governing body of such counties to develop and establish a prisoner rehabilitation program which would include a livestock raising and farming area for the purpose of inmates occupying their time in supplementing prison food, and including the leasing or purchasing of land for such purpose and purchasing equipment and supplies incident thereto; providing that the cost for such program be paid out of the county general fund and from funds designated for prisoners' feeding allowance; and prescribing penalties for violations by inmates.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, Jones, King, Little, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Roberts, Shelby, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

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The Bill:

H. 1858. To apply only in counties having a population of not less than 57,000 nor more than 61,000; providing for service of witness subpoenas by mail.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

The Bill:

H. 1857. Relating to all counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing for service of process in civil cases by registered mail.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1826. Relating to counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; providing additional compensation for official court reports of the circuit courts in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1828. Relating to Butler County; to provide salaries for certain county officers including an annual salary adjustment based on the cost of living index; and to provide that the county commission has the authority for providing and fixing the salaries of the employees of the county officers affected by this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (A), McMillan, Mitchell, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

H. 1860. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1861. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1071. Relating to Washington County; providing for the election

of the county commission by the county at large; and providing for the residence of the commissioners from districts defined herein.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 1071, to-wit:

AMENDMENT TO S. B. 1071

Amend S. B. 1071, on page 2, line 25, by striking the word "intersection" and also strike lines 26, 27, 28, 29, 30 and "North, Range 1 West" on line 31 and insert in lieu thereof the following:

Northwest corner of Section 10, Township 4 North, Range 1 West;

Also on page 3, line 8, strike the word "inter-" and continue striking lines 9, 10, 11, 12, 13 and "Range 1 East" on line 14 and insert in lieu thereof the following:

Southwest corner of Section 3, Township 4 North, Range 1 West;

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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And said Bill, S. B. 1071, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 376. Relating to Mobile County; to provide that any monies in the general fund of Mobile County may be used by the County governing body to pay the doctor, medical, hospital bills and any expenses required for rehabilitative purposes of any County employee who is injured in the line of duty; and to make provisions of this Act retroactive to January 1, 1973.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 229. To provide that in every county having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of the county is authorized to pay a monthly pension to any public law librarian upon retirement, and the chief circuit judge of the judicial circuit comprising such county is authorized to pay an additional monthly pension from any law library fund to such law librarian upon such retirement; and to prescribe the terms and conditions of such retirement and such pensions.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 360. To further regulate the fees and allowances in criminal cases of sheriffs in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent or any subsequent Federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Littleton, McDonald (S), McMillan, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 364. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most

recent federal decennial census, to select and appoint an administrative assistant, to provide for the appointment for such administrative assistant, the term of office of such administrative assistant, to provide for the salary of such administrative assistant, and the method of payment of such salary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flipppo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 365. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 366. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a secretary, to provide for the appointment of such secretary, the term of office of such secretary, to provide for the salary of such secretary, and the method of payment of such secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Waldrop, Wilson.

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Nays:

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The Bill:

H. 378. To fix the compensation or salary of the Clerk of the Circuit Court in all counties of Alabama having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

H. 570. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597) relating to the sheriff's department and counties having populations of not less than 300,000 nor more than 500,000.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 570, to-wit:

SUBSTITUTE FOR H. B. 570

A BILL TO BE ENTITLED AN ACT

To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597) relating to the sheriff's department and counties having populations of not less than 300,000 nor more than 500,000.

Be It Enacted by the Legislature of Alabama:

Section 1. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597) relating to the sheriff's department and counties having populations of not less than 300,000 nor more than 500,000 is amended further to read as follows:

"Section 1. In all counties having populations of not less than 300,000 nor more than 500,000 according to the last federal decennial census, the chief deputy sheriff shall be paid a salary of not less than Range 61, Step A, (\$17,436.00) annually. Said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such county. The chief clerk in the sheriff's department shall be paid a salary of not less than Range 61, Step A, (\$17,436.00) annually. Said salary to be adjusted at the same time and at the same percentage rate as merit system employees in such counties. The chief investigator in the sheriff's department shall be paid a salary of not less than Range 56, Step A, (\$14,112.00) annually. Said salary to be adjusted at the same time and at

the same percentage rate as merit system employees in such counties. The assistant chief deputy in the sheriff's department shall be paid a salary of not less than Range 56, Step A, (\$14,112.00) annually. Said salary to be paid at the same time and at the same percentage rate as merit system employees in such counties. The salaries of all the above listed assistants in the sheriff's department shall be payable in equal monthly installments upon warrants being drawn in the same manner prescribed for payment of compensation of county employees."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flipppo, Foshee, Givhan, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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And said Bill, H. B. 570, as thus amended by the substitute was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Edwards, Ellis, Fine, Flipppo, Foshee, Givhan, Jones, King, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 783. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1975, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 783, to-wit:

SUBSTITUTE FOR H. B. 783

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1975, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an Act of the Legislature of Alabama being Local Act No. 102, approved June 3, 1943, page 59 of the Local Acts of Alabama of 1943, which was amended by an Act of the Legislature of Alabama, being Local Act No. 784, approved September 8, 1961, page 1136 of the Local Acts of Alabama of 1961, be and the same is hereby amended so as to read as follows:

"Section 2. Such attorney so appointed shall receive as his compensation FOUR THOUSAND EIGHT HUNDRED AND NO/100 (\$4,800.00) DOLLARS per annum, payable in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County. In addition thereto, shall be paid on warrants drawn on Mobile County for litigation or for other extraordinary regular service at the prevailing hourly rate in said county for such services". But, that said compensation for litigation or other extraordinary regular service at the prevailing hourly rate shall not exceed TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) in any one calendar year unless such excess of TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) is approved for payment by the County Commission.

Section 2. That all laws or parts of laws, general, local or special, in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage by the Legislature and its approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Flipppo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

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Nays:

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And said Bill, H. B. 783, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Flipppo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

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Nays:

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The Bill:

H. 784. To apply only in Mobile County; providing for service of witness subpoenas by mail.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 784, to-wit:

AMENDMENT TO H. B. 784

Amend H. B. 784, Section 1 by adding, immediately after the period on line 15, the following:

“It is specifically provided, however, that, if the party calling a witness expressly requests in writing that the subpoena be delivered to such witness personally by the sheriff or one of his deputies in person, such witness shall be so served.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

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Nays:

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And said Bill, H. B. 784, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Wilson.

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Nays:

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The Bill:

H. 1517. Relating to Mobile County; to provide further for the disposition and use of a certain portion of the funds received by Mobile County under the provisions of Act No. 2, H. 47, Regular Session 1945 (Acts 1945, p. 20), as amended, providing for an oil and gas severance tax, and to specifically repeal Act No. 29, H. 30, Second Special Session 1956 (Acts 1956, p. 299), and all other laws or parts of laws in conflict herewith.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1517, to-wit:

COMMITTEE AMENDMENT TO H. B. 1517

Amend H. B. 1517 as follows:

On Page 1, line 24, Section 1, after the number “(50%)” insert the following: “or \$100,000.00, whichever is less,”

Further amend H. B. 1517 as follows:

On Page 1, line 28, Section 1, after the word “tax” strike the following: “, to the Mobile County Board of Health”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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And said Bill, H. B. 1517, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Foshee, Gilmore, Givhan, Jones, King, McDonald (S), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca.

—25

Nays:

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The Bill:

H. 1703. To amend Act No. 2182, H. 2753 Regular Session 1971 (Acts 1971, 3489) entitled An Act to provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and

repealing conflicting laws, so as to increase the pay of members of the Board, and to increase the authorized expenditure of the municipality for the operation of the board, and further limit the officers and employees to which the act shall not apply.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

— 25

Nays:

— 0

The Bill:

H. 1720. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

— 25

Nays:

— 0

The Bill:

H. 1664. To provide that any city of the state having a population of more than 41,000 and less than 45,000 inhabitants according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1670. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue certain plates for use on certain emergency search and rescue vehicles without charge; prescribing the color and prefix for such plates and repealing all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Moore (O), White, McNees, Mitchem, Crowe, Wyatt, Campbell, Harrison, Gafford, Sasser, Quarles, McCluskey, Dial, Williams, Naramore, Clark, Johnstone, Kelley, Trammell, Carothers, Martin, Plaster, Roberts, Starkey, Smith (C), Andrews, Lutz, Falkenburg, Jackson (F), Boles, Folmar, McMillan, Waggoner, Hines, Sandusky, Teague, Goodwin, Rich, Taylor and Weeks:

H. 640. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 640. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. White, Gafford and Falkenburg:

H. 1098. To amend, add to, and repeal part of Act No. 1407 passed in the Regular Session of the 1971 Legislature (Acts p. 2378) and approved September 16, 1971, called the Alabama Controlled Substances Act, concerning the regulation of the possession and use of controlled drugs in Alabama, establishing penalties for violations of the various sections of the Act, and standardizing all laws in the State to be in conformity with the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended, and to repeal existing State Statutes in conflict.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1098. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 837. Relating to all counties having populations of not less than 65,000 nor more than 68,000 inhabitants according to the most recent **federal decennial census**; to provide for an additional secretarial assistant for the office of the district attorney of the judicial circuit in which such county lies.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE ON CONFERENCE ON H. B. 837

We, the committee on conference appointed to reconcile the difference of the two houses concerning the Senate substitute for House Bill 837, have met in conference, considered the matter in conference, and have agreed to the following report:

Amend House Bill 837 by deleting Section 2 and adding in lieu thereof the following:

"Section 2. The compensation of such secretarial assistant for the office of the district attorney shall be set by the district attorney at a sum not exceeding \$500.00 per month. The compensation of such secretarial assistant for the circuit judge shall be set by the circuit judge at a sum not exceeding \$525.00 per month."

Amend House Bill 837 further by adding the following:

Section 6. This Act shall become effective upon the first day of the month following its passage and approval by the Governor or upon its otherwise becoming a law.

OBIE J. LITTLETON,

JOE FINE,

Conference on the part of the Senate

JOHN A. TEAGUE,

MURRY P. McCLUSKEY,

GERALD DIAL,

Conference on the part of the House

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate for its consideration.

JOHN W. PEMBERTON,
clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Littleton, the Senate concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 837, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Turnham:

H. 291. Relating to taxation; amending Section 613, Title 51, Code of Alabama (1940), as last amended, which relates to the licensing of vending machines.

Also:

By Messrs. Johnson and Robertson:

H. 977. For the relief of Helen Simpson making an appropriation from the Special Mental Health Fund in the state treasury to compensate her for wages of which she was deprived by virtue of her being placed on leave without pay for an invalid reason.

Also:

By Messrs. Hill, Greer, Coburn and Goodwin:

H. 1046. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B.'s 291 and 1046. To the Committee on Rules.

H. B. 977. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 147. To limit the use of public road and bridge funds of DeKalb County.

Also:

S. 1110. To authorize the dissolution of District Number One Tuberculosis Sanatorium Authority, a public corporation organized under the provisions of Act Number 914 enacted at the 1961 Regular Session of the Legislature of Alabama; to provide for the distribution of the funds of the authority to the several counties making original contributions to the Trustees of said District Number One Sanatorium in the amounts contributed; and to provide for the withholding by the Authority of an estimated amount sufficient to meet any potential unemployment and contingent claims, and for the distribution of all other funds to the several counties, making subsequent contributions to the operation of the sanatorium, in the ratios that the contribution of each bore to the total contributions of all, and then final distribution of any remaining funds not needed to pay unemployment and contingent claims, within two years after the passage of this act in the same percentages.

Also:

S. 157. To amend Section 2 of Act No. 992, S. 710, Regular Session 1969 (Acts 1969, p. 1756) relating to the county superintendent of education of Crenshaw County, so as to further regulate his compensation.

Also:

S. 158. Relating to law enforcement in Crenshaw County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

S. 260. To amend further Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or rearrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," in order to exclude certain lands from the corporate limits of the Town.

Also:

S. 387. Providing that the Probate Judge of Randolph County shall appoint one or more regular clerks in the probate office as deputy registrars empowered to take applications for voter registration at any time the probate office is open for business.

Also:

S. 389. Relating to Randolph County: providing further for the compensation of election officials.

Also:

S. 532. To authorize the county commissions of all counties having populations of not less than 17,000 nor more than 20,000 to provide for the relief of Dan Powell to pay for dentist bills incurred due to a broken tooth received while working for the county.

Also:

S. 603. To amend Section 1 of Act No. 738, H. 1842, 1973 Regular Session (Acts of 1973, p. 1098), entitled, "To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled 'Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees' "; so as to transfer \$150 per month from the law enforcement fund to the district attorney's funds in such counties.

Also:

S. 604. Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the intermediate court.

Also:

S. 630. To create the office of Deputy District Attorney No. 5 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such office.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 631. To create a solicitor's fund in the Sixth Judicial Circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in the Sixth Judicial Circuit of Alabama; to authorize the county governing body to appropriate funds from the general fund to be placed in the solicitor's fund; and to authorize expenditures of said fund by the District Attorney of the Sixth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Also:

S. 664. Relating to Randolph County; providing for a stenographic secretary for the tax assessor and tax collector.

Also:

S. 665. To provide for the compensation of jurors in Randolph County.

Also:

S. 875. Relating to DeKalb County, amending Act No. 376, S. 577, Regular Session 1971 (Acts 1971, p. 669), which act provides an expense allowance for the board of equalization, so as to increase said allowance for the members of said board.

Also:

S. 876. To create the scholarship and loan commission of DeKalb County for the purpose of providing loans and scholarships to residents of DeKalb County who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this act.

Also:

S. 877. To amend Act No. 218, H. 708, 1973 Regular Session, which authorizes the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County, amending Sections 1 and 2 so as to redefine certain terms and to delete the provisions restricting certain expenditures for betterment projects and to provide that under certain conditions the state highway director may veto a project approved by the county commission.

Also:

S. 878. Relating to DeKalb County; providing for the salary of the chairman of the county governing body.

Also:

S. 879. Regulating nighttime hunting in DeKalb County; authorizing the taking, catching or killing of raccoons and o'possums under certain conditions and by certain means.

Also:

S. 880. Relating to DeKalb County; to provide that the next election of members of the county commission or other like governing body shall be the general election of 1978; to provide that those members of said commission or other like governing body who were elected in the general election of 1974 shall continue to serve until their successors are elected and qualified and to repeal all conflicting statutes.

Also:

S. 898. Relating to Morgan County; to amend the title and section 11 of Act No. 261, S. 431, Regular Session 1973 (Acts of 1973, p. 294), which act provides for the consolidation of the offices of the county tax assessor and tax collector into one office of county revenue commissioner, so as to clarify the title and to provide for a county referendum vote upon said act.

Also:

S. 926. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; granting to corporations organized under and pursuant to the provisions of Act No. 218, adopted at the 1967 Special Session of the Legislature of Alabama, approved May 10, 1967, as amended, the authority to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property and grounds of the corporation and to apprehend those violating applicable laws and ordinances on or near such property and grounds of the corporation and upon any public ways contiguous to any part of such property and grounds; charging and investing such persons with the duties and powers of police officers when acting as authorized by the Act and granting to such officers the authority to eject trespassers from corporation buildings and grounds; providing the authority and procedure for arrest and prosecution of offenders by such officers, with and without warrant; providing for the jurisdiction of such officers granted by the Act to be co-extensive with the jurisdiction and authority of police officers of the municipality within which the buildings and grounds of the corporation are located; exempting such officers from the terms, provisions, and conditions of Act No. 1981, adopted at the 1971 Regular Session of the Legislature of Alabama, approved September 20, 1971, as amended; providing that the Act shall be construed liberally; and providing for the severability of the provisions of the Act, and for its effective date.

Also:

S. 928. Relating to Chilton County; to change the method of compensating the judge of probate, the tax assessor, the tax collector, the clerk of the circuit court and the register of the circuit court; and to fix the compensation for each of such officers, subject to the ratification of a constitutional amendment.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Sasser:

H. 1658. To alter or rearrange the boundary lines of the Town of Clio, Barbour County, Alabama, so as to include the corporate limits of said Town all territory now within such corporate limits and also certain territory contiguous thereto, in Barbour County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA BARBOUR COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the legislature of Alabama for the enactment of a local law, the substance which is as follows:

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the Town of Clio, Barbour County, Alabama, so as to include the corporate limits of said Town all territory now within such corporate limits and also certain territory contiguous thereto, in Barbour County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Clio, Barbour County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Clio, Alabama and in addition thereto the following described territory, to-wit:

Commencing at the present boundary of the Town of Clio, Alabama and extending one mile in all directions.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA BARBOUR COUNTY

Before me, Rebecca Kelly a Notary Public in and for said County and State, personally appeared Mrs. Bertie G. Parish, who being duly sworn, deposes and says on oath, that she is the Publisher of The Clayton Record, a newspaper published weekly in the Town of Clayton, Barbour County, Alabama, and that the attached notice a bill to be entitled an act—Town of Clio was published in said newspaper 4 consecutive times. The same appearing in the issue dated July 24, 31, Aug. 7, 14, 1975.

MRS. BERTIE G. PARISH,
Publisher of The Clayton Record.

Sworn to and subscribed before me this the 14 day of August, 1975.

REBECCA KELLY,
Notary Public.

Also:

By Mr. Killian:

H. 1921. An Act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following proposed Act extending the city limits of the City of Fort Payne, Alabama, will be introduced in the 1975 Regular Session of the Legislature of the State of Alabama.

A BILL
TO BE ENTITLED
AN ACT

An act relating to the municipality of Fort Payne in DeKalb County; to alter, rearrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory, in addition to that already within the corporate limits, to wit:

Beginning at point on the easterly boundary line of the Corporate Limits of the City of Fort Payne, Alabama, described as the one-half mile corner on the east line of Section 23, Township 6 South, Range 9 East of the Huntsville Meridian in Dekalb County, Alabama, run in a southwesterly direction across the SE $\frac{1}{4}$ of said Section 23 and ther NE $\frac{1}{4}$ of Section 26 in Township 6 South, Range 9 East to the northeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 26; thence run in a southerly direction to the one-half mile corner on the south line of said Section 26; thence continue in a southerly direction to the one-half mile corner of the south line of Section 35 in Township 6 South, Range 9 East; thence run in a southerly direction to the one-half mile corner on the south line of Section 2, Township 7 South, Range 9 East; thence continue in a southerly direction to the one-half mile corner on the south line of Section 11, Township 7 South, Range 9 East; thence run in a southwesterly direction across the W $\frac{1}{2}$ of Section 14, the SE $\frac{1}{4}$ of Section 15, the NE $\frac{1}{4}$ and the W $\frac{1}{2}$ of Section 22, the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21 and the NE $\frac{1}{4}$ and W $\frac{1}{2}$ of Section 28, all in Township 7 South, Range 9 East to the southwest corner of said Section 28; thence run in a westerly direction along the south boundary of Section 29, Township 7 South, Range 9 East to the southwest corner thereof and the southeast corner of the Corporate limits of the City of Fort Payne; thence run in a northeasterly and northerly direction with the Corporate limits of the City of Fort Payne to the point of beginning.

Said area all lying in DeKalb County, Alabama.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Jerry E. Whittle publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of June 26, July 3, 10, 17, 1975.

JERRY E. WHITTLE,
Publisher.

Sworn to and subscribed before me this 18th day of July, 1975.

MARY RUTH BROWN,
Notary Public.

My Commission Expires January 17, 1977.

Also:

By Mr. Smith (J):

H. 1924. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; to authorize the county commission to appoint an Engineer Trainee; to provide for his compensation; to prescribe certain qualifications and duties; to provide for state participation in his salary and to repeal conflicting laws.

Also:

By Mr. Carter:

H. 1926. Relating to all counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; authorizing the county commission of such counties to pay additional compensation for jurors in such counties retroactively for a three-month period.

Also:

By Messrs. Coburn and Goodwin:

H. 1936. To repeal Act No. 355, H. 884 of the Regular Session of 1965 (Acts 1965, p. 490), entitled "An Act To provide for and require reidentification of the registered voters of counties having a population of not less than 48,020 nor more than 49,750 according to the last or any subsequent federal census and imposing duties upon the Judge of Probate and upon the electors whose names appear on the list of qualified voters in such counties."

Also:

By Mr. Smith (J):

H. 1937. To amend Act No. 277, H. 660, approved August 8, 1973, which authorizes the County Commission, Board of Revenue, or other Geneva County governing body to provide clerk-hire allowance for the

Clerk of the Circuit Court, the Tax Assessor, and the Tax Collector of Geneva County so as to increase the amount of such allowances.

Also:

By Mr. Smith (J):

H. 1938. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; provides expense allowance for the members of the county commission of said counties.

Also:

By Mr. Rich:

H. 1457. Exempting the Cherokee County and the Etowah County Rescue Squads from all state, county, and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

Also:

By Messrs. Robertson and Clark:

H. 1940. Relating to the election of members of the Pickens County Board of Education and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the election of the members of the Pickens County Board of Education and repealing conflicting laws.

Section 1. Commencing with and at the time of the next general election following the passage of this Act by the Legislature of Alabama, upon its becoming part of the laws of Alabama, the member or members whose places on the Pickens County Board of Education are open for qualification, nomination and election thereto shall be filled according to the provisions and condition of the next subsequent Sections Two, Three and Four.

Section 2. The Pickens County Board of Education shall consist of five members who shall be designated by places as Place Number One, Two, Three, Four and Five. The Pickens County Board of Education may by its appropriate resolution designate one of its members as Chairman who shall serve for one year unless re-designated as Chairman for an additional year or years and each member of the Board shall be eligible for appointment for Chairmanship. Further, the Board may, if it determines educationally advantageous, designate one of its members as having prime responsibility for each of the Board's four school attendance areas. However, nothing in this Act shall be construed so as to require the Board

to make such designations. This Act shall not affect the tenure and office of the incumbent members of the Board who shall hold office for the full term to which they were elected except as hereinafter provided.

Section 3. A person who shall be a resident and a qualified voter of Pickens County, Alabama, and having completed a high school education, or the equivalent thereof and as qualified by § 63 of Title 52 of Alabama Statutes shall be elected for each place, including Chairman, of said Board of Education, and such person shall be elected by the qualified electors of Pickens County, Alabama.

Section 4. The members of the Board to serve in Place Number One and Place Number Four shall be elected first under this Act at the general election in November of 1976 and the member to serve in Place Number two shall be elected first at the general election in 1978 and the member to serve in Place Number Three and Place Number Five of the Board shall be elected first under this Act at the general election in November of 1980.

Section 5. Act 141, S. 329, Regular Session 1949 (Acts 1949, P 167) and Act 41 S. 48 (Special Session 1966) which may be in conflict with this Act are hereby expressly repealed.

Section 6. There shall continue to be, by the provisions and conditions of this Act, five (5) members of said Board of Education who are elected, as herein provided; appointed, as otherwise provided by law in Title 52, Section 64, Code of Alabama 1940; or presently serving as members of said Board. This act shall not affect the tenure or office of the present members of said Board, but said members shall hold office for the full time for which they were qualified or elected, nor shall it affect the tenure in office of their successors who may be appointed in cases of the resignation, death or removal from office, but such appointees shall fill out the full term for which their predecessors were elected.

Section 7. The election of members of the Pickens County Board of Education and terms of office, rights, powers, duties and compensation for said members of the said Board are such as are not or may hereafter be provided by the general laws of Alabama, Code of 1940, Title 52.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

STATE OF ALABAMA PICKENS COUNTY

Before me, E. V. Junkin, a Notary Public in and for said County, personally appeared Daisy J. Junkin Publisher of The Pickens County Herald and West Alabamian, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice has been regularly published once a week for 4 consecutive weeks in said paper in issues dated as follows: 8-21, 1975, 8-28, 1975, 9-4, 1975, 9-11, 1975.

DAISY J. JUNKIN.

Subscribed and sworn to before me, this the 12 day of Sept., 1975.

EUTEAL V. JUNKIN,
Notary Public.

Also:

By Mr. Reed:

H. 1949. To provide an additional expense allowance for the chairman and members of the county commission of all counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

Also:

By Mr. Reed:

H. 1950. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for a salary increase for the chief deputy sheriff and the deputy sheriff of any such county; to provide an additional expense allowance for the sheriff; and providing two additional jailors for such county and their compensation.

Also:

By Mr. Reed:

H. 1951. Relating to the office of the sheriff in all counties having populations of not less than 11,500 nor more than 12,500 inhabitants, according to the most recent federal decennial census; to provide for an additional jailer and fix his salary.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1658, 1921, 1924, 1926, 1936, 1937, 1938, 1457, 1940, 1949, 1950 and 1951. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 931. To provide an expense allowance for the Judge of the Court of Law and Equity in Chilton County.

Also:

S. 932. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Chilton County; and to fix and regulate the costs and charges of courts.

Also:

S. 934. Relating to Morgan County; to allow the probate judge's office to close upon authorization by the county commission.

Also:

S. 935. Relating to Morgan County; to provide for the location of the offices of the county board of education.

Also:

S. 936. To require the Probate Judge of Morgan County to decline to receive for record in his office any map or plat upon which any lands lying within Morgan County but outside the corporate limits of any municipality with a planning commission or planning board are platted or mapped as streets, alleys or other public ways for subdivision purposes or otherwise unless such map or plat shall have noted thereon the approval of the Morgan County engineer. If, however, said lands be within the corporate limits and police jurisdiction of a municipality with a planning commission or planning board there must be noted thereon the approval of the municipal governing body or municipal engineer.

Also:

S. 937. To amend Sections 3, 16, and 17 of Act No. 129, S. 97, Regular Session 1939, (Local Acts 1939, p. 70) creating the county governing body of Morgan County so as to further provide for meetings of the commission, filling of vacancies and funds from which salaries are paid.

Also:

S. 943. To provide an expense allowance for the Court reporter of the Court of Law and Equity in Chilton County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Gafford and Waggoner:

H. 1195. To exempt gas districts now or hereafter organized under the provisions of Act No. 762 adopted at the 1951 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Gafford:

H. 1370. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Gafford:

H. 1371. To exempt warrants issued by a county under the provisions of Act No. 220 adopted at the 1967 Regular Session of the Legislature of Alabama in anticipation of and payable solely out of that portion of the highway gasoline tax required by law to be distributed to counties which are subject to the provisions of such Act from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Gafford:

H. 1372. To exempt warrants issued by a county under the provisions of Act No. 1128 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying costs of acquiring and providing water works systems from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Gafford:

H. 1373. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

By Mr. Gafford:

H. 1374. To exempt securities issued by any county payable from or secured by a pledge of any part of the tax proceeds of the special tax authorized to be levied under the second proviso of Section 215 of the Constitution of Alabama of 1901, as amended by Amendment CCVIII, and Title 12, Sections 185, 186 and 191 of the Code of Alabama of 1940, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1195, 1370, 1371, 1372, 1373 and 1374. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Malone and Kennedy:

H. 1822. To amend further Sections 3, 11, 12, 13 and 18 of Act No. 107, H. 150, Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system of the City of Prichard; to provide for the retroactive effect of the amendatory provisions of this Act.

Also:

By Messrs. Kelley and Mitchem:

H. 1927. Relating to Marshall County. To provide for the employment and salary of a communications and information specialist in the sheriff's department of Marshall County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County. To provide for the employment and salary of a communications and information specialist in the sheriff's department of Marshall County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Marshall County, the sheriff of Marshall County shall be authorized to employ, in addition to all other employees and officials heretofore authorized, a communications and information specialist, said specialist shall manage the sheriff department's participation in the program of the National Communications Information Center, and perform other duties as assigned by the Sheriff of Marshall County.

Section 2. The employee herein provided shall be paid an annual salary not to exceed \$9,000, said compensation to be paid from any Fund of Marshall County and disbursed in twelve (12) monthly installments.

Section 3. All laws, or parts of laws, which conflict with this act are hereby repealed.

Section 4. This act shall become effective November 1, 1975.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said

State, this day personally appeared Pat M. Courington, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain Reporter, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug 28, Sept 4, Sept 11 and Sept 18, all in the year 1975.

PAT M. COURINGTON.

Sworn to and subscribed before me September 18, 1975.

PATRICIA DIANN SMITH,
Notary Public.

Also:

By Messrs. Mitchem, Brindley and Kelley:

H. 1933. Relating to Marshall County; providing additional allowances for the clerk hire funds for the offices of the judge of probate, tax assessor and tax collector to be paid from any available county funds, and providing additional compensation for bailiffs to be paid from the county general fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County; providing additional allowances for the clerk hire funds for the offices of the judge of probate, tax assessor and tax collector to be paid from any available county funds, and providing additional compensation for bailiffs to be paid from the county general fund.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Marshall County shall increase the allowances for the purpose of hiring clerks for the offices of the judge of probate, the tax assessor, and the tax collector, as follows:

- (a) Office of the judge of probate—\$3,000 annually;
- (b) Office of the tax assessor \$5,000; and
- (c) Office of the tax collector \$5,000.

These allowances shall be in addition to all other allowances and the payments therefor are authorized from any available public funds of the county.

Section 2. The compensation for the bailiffs of Marshall County shall be increased by \$5.00 per day, such additional compensation to be paid out of the county general fund.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act is cumulative and shall take effect October 1, 1975.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Pat M. Courington, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain Reporter, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug 21, Aug 28, Sept 4, and Sept 11, all in the year 1975.

PAT M. COURINGTON.

Sworn to and subscribed before me September 18, 1975.

PATRICIA DIANN SMITH,
Notary Public.

Also:

By Messrs. Kelley and Mitchem:

H. 1928. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; creating a county government study commission in each of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1822, 1927, 1933 and 1928. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Hill and Greer:

H. 1896. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; to provide that there shall be a referendum election in all such counties to determine whether or not the construction and maintenance of the county road system shall remain under the supervision and control of the state highway department.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1896. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1115. To authorize establishment of branch banks in Monroe County.

Also:

S. 1048. Relating to DeKalb County; providing that the salary of the Deputy District Attorney (County Solicitor) paid by DeKalb County shall be set by the County Commission at not more than \$15,000.00 nor less than \$10,000.00 per year; further providing that the office of Deputy District Attorney is to be a full-time job, and the Deputy District Attorney may not do any work as an attorney or receive any fees from legal work done outside of his duties as Deputy District Attorney.

Also:

S. 1033. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Also:

S. 476. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain areas from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 1106. To Amend Code of Alabama 1940, Title 2, Section 606, as amended, so as to allow the sale of milk in three quart containers.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 861. To establish the Employees' Retirement System of the City of Montgomery; to prescribe procedure for the administration of said system and to provide for retroactive effect to May 1, 1969.

Also:

S. 1021. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 50,000 nor more than 52,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

At 3:50 P.M., on motion of Mr. Fine, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, September 30, 1975, at 10 o'clock A.M.

THIRTY-FOURTH LEGISLATIVE DAY

TUESDAY, SEPTEMBER 30, 1975

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by Mr. Ronnie Missildine, Associate Minister, Lakewood Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

JOURNAL

On motion of Mr. Fine, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE
ON RULES ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

E. C. FOSHEE,
Chairman.

COMMITTEE REPORT

On motion of Mr. Foshee, the foregoing report was concurred in and the Journal of the Senate for the Thirty-third Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Fine, leave of absence was granted Mr. Weaver for today.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 751. To authorize and empower the director of the Madison County License Department to charge and collect a fee of \$1.00 for the performance of duties relative to the recording of the transfer of ownership of motor vehicles as prescribed in Title 51, Section 706, Code of Alabama 1940, as last amended; to provide that all fees so collected shall be the property of the county and shall be paid into the general fund of the county; to repeal conflicting laws.

Also:

H. 766. To authorize the Madison County Commission to pay the expenses of defending lawsuits brought against employees of Madison County, Alabama, resulting from the performance of any work while in the employment of Madison County.

Also:

H. 770. To authorize Madison County, Alabama, to levy a business or privilege fee upon any business, vocation, occupation, calling or profession for which a business or privilege fee or tax is not required for either the State of Alabama or the county by the laws of the State of Alabama, and to limit the amount of any such business or privilege license fee.

Also:

H. 1693. To further amend Section 6 of Act No. 2452, H. 2798, 1971 Regular Session (Acts of 1971, p. 3917), as amended, entitled, "An Act To provide courts in each county of the state having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census and vesting each with jurisdiction formerly exercised by justices of the peace; providing for additional powers of said courts; providing for its officers, and their appointment; elections; providing for the term of office of the judge, his powers, duties, compensation, and for costs and fees in such court; providing for the transfer of all cases pending in justice of the peace court of said court hereby established; providing for appeal from said court; providing for procedure, practice and pleading in said court; to provide for the approval of bonds in such matters pending before this court," so as to increase the compensation of judges of the Inferior Court to \$9,600 per annum.

Also:

H. 1694. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 57,000 and not more than 61,000 according to the most recent federal decennial census.

Also:

H. 1695. Relating to all counties having a population not less than 57,000 nor greater than 61,000, according to the latest Federal decennial census; authorizing the county commission to set clerk hire for all county officers.

Also:

H. 1713. Relating to all counties with populations of not less than 23,800 nor more than 23,925 inhabitants according to the most recent federal decennial census; providing for the salary of the jury commission.

Also:

H. 1743. Relating to Geneva County; relieving the tax assessor and tax collector from the duty of traveling from place to place within the county to assess property and collect taxes.

Also:

H. 1753. Relating to all counties having a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent federal decennial census; to provide for the compensation of certain county officers on a salary basis; to provide that the fees, commissions and allowances of such officers shall be deposited in the general fund of such counties; and to provide for the operation of the offices of such officers.

Also:

H. 1768. Relating to Geneva County; providing additional compensation for the official court reporter of the Thirty-third Judicial Circuit, payable by the county.

Also:

H. 1696. Relating to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; authorizing an additional uniform allowance for all uniformed personnel of the sheriff's department of each such county; and providing a clothing allowance for chief investigators and assistant investigators, the same to be paid from the county treasury.

Also:

H. 1464. Proposing an amendment to the Alabama Constitution that will allow the Legislature to pass local legislation applicable to Madison County to change the method prescribed by law for giving notice to delinquent taxpayers in Madison County of their failure to pay taxes assessed against any property which is assessed to them and to further change the notice required to be given them prior to the sale for taxes of said property and to further change the method for issuing decrees for the sale of land and the trials held to determine whether such sales should be ordered and to change the method of giving notice to delinquent property owners to show cause why a decree of sale should not be rendered against them and to further change the method regarding the sale of said property and the report of the amount of taxes collected from said sale.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 141. Resolved by the Senate, That the following bills shall be the paramount and continuing order of business, immediately upon adoption of this resolution, taking precedence over all other business, for the 34th legislative day only:

All uncontested local bills (House and Senate) as they appear on the calendar, and the following general bills:

Bill No.	Page No.	Description
H. B. 203	230	Mobile County
H. B. 603	116	Montgomery County
H. B. 76	132	Warehouses
H. B. 1426	150	Names Bridge
H. B. 1493	155	Names Bridge
H. B. 342	73	Building Code Standards
H. B. 1230	147	Names Bridge
H. B. 1568	165	Unemployment compensation
H. B. 1601	165	Extension Service
H. B. 1790	202	Pollution Control
H. B. 638	151	Small businesses
H. B. 1917	203	Highway Committee
H. B. 64	159	CB Radios
H. B. 713	119	Alabama State
H. B. 821	143	State Personnel Board
H. B. 658	194	Oil and Gas Board
H. B. 531	141	Campus Police Officers
H. B. 537	193	State Policemen
H. B. 1125	105	Nursing Homes
H. B. 1707	191	Medical Clinic Boards
H. B. 87	99	City Recorders
H. B. 367	105	Paint Sales
H. B. 39	44	Department of Labor
H. B. 517	73	Local governments—ins.
H. B. 1022	96	State-owned Vehicles
H. B. 1208	201	Inc. Tax
H. B. 442	57	Conservation Dept.
H. B. 665	136	Conservation Dept.
H. B. 143	175	Clergymen

H. B. 571	78	Probate Judges
H. B. 316	143	Investment of funds
H. B. 113	101	Absentee voting
H. B. 507	25	Houston County
H. B. 1472	82	Houston County
H. B. 475	193	State Vehicles—tags
H. B. 92	52	State Banks
H. B. 390	149	Legislative Journals
H. B. 192	49	Insurance Dept.
H. B. 119	108	Hunting
H. B. 230	111	Good Neighbor Commission
H. B. 556	148	Secretary of State
H. B. 396	110	Department of Education
H. B. 1194	185	Issuance of Bonds
H. B. 180	114	Department of Conservation
H. B. 1846	204	Legal Possession of Beverages
H. B. 484	207	Non-resident Fishing Licenses
H. B. 88	146	Bid Laws
H. B. 706	207	Non-resident Hunting Licenses
H. B. 948	185	Banking
H. B. 949	186	Banking
H. B. 1728	237	Calhoun County
H. B. 1323	163	Dept. of Industrial Relations
H. B. 1562	204	Ala. Historical Commission
H. B. 572	173	Local Government
H. B. 775	56	Trucks
H. B. 318	200	County funds
H. B. 463	109	Commercial Fishing Gear
H. B. 283	190	County Engineers
H. B. 176	42	Rename Center
H. B. 962	233	Social Security
H. B. 191	214	Fire Fighters
H. B. 743	225	ABC Board
H. B. 860	238	Circuit Judge—Etowah Co.

H. B. 902	149	Names building
H. B. 1778	238	Fort Toulouse
H. B. 1547	236	1st Judicial Circuit
H. B. 768	241	Filing fees
H. B. 747	161	Motor Sports Hall
H. B. 748	162	Motor Sports Hall
H. B. 80	160	Alabama Aviation Exhibit Comm.
H. B. 81	160	Alabama Aviation Exhibit Comm.

Mr. Baker offered the following amendment to the Resolution, S. R. 141, to-wit:

AMENDMENT TO S. R. 141

Amend S. R. 141 Page 1 by striking out the bill numbers and by substituting for those numbers uncontested Local Bills H. B. 489.

On motion of Mr. Foshee, said amendment was laid on the table.

Yeas 24; Nays 6.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Littleton, McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Wilson.

—24

Nays:

Messrs. Baker, Edwards, Flippo, King, Little, McDonald (S).

—6

And on motion of Mr. Foshee, said Resolution, S. R. 141, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1486. Relating to Wilcox County; to provide that the county governing body shall set the mileage allowance for the coroner.

Also:

H. 1492. To authorize the Tax Assessor and the Tax Collector of Autauga County to appoint one Chief Deputy Clerk and additional Deputy Clerks, and to provide for the compensation of said Clerks, and to repeal Act No. 215 H 647 approved September 30, 1959, Page 755 Volume 1 Acts of Alabama Regular Session 1959.

Also:

H. 1510. Relating to counties having a population of not less than 27,000 nor more than 27,900 according to the most recent federal decennial census, to provide a total compensation for members of the jury commission and for the secretary of the jury commission in such counties.

Also:

H. 1511. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

Also:

H. 1512. To alter or rearrange the boundary lines of the Town of Gulf Shores, Baldwin County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Also:

H. 1522. Providing for an additional fee for a pistol permit or license in any county having a population of not less than 33,500 nor more than 34,000 according to the most recent federal census and providing for the disposition of the proceeds from such fees.

Also:

H. 1544. To amend Section 1 of Act No. 631, H. 1738, Regular Session 1973, (Acts 1973, p. 939) which relates to the compensation of certain officers of Houston County.

Also:

H. 1546. To alter, rearrange, and extend the boundary lines and corporate limits of the town of Belk in Fayette County, Alabama, so as to annex certain territory to the Town of Belk, in Fayette County, Alabama.

Also:

H. 1553. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes and raccoons; prescribing a penalty for violation of this Act.

Also:

H. 1555. Relating to Lowndes County; to authorize the county governing body to maintain roadways and driveways connecting private residences with public roads.

Also:

H. 1556. Relating to Lowndes County; to provide an additional expense allowance for the county solicitor.

Also:

H. 1557. Increasing the compensation of the bailiff of the 32nd judicial circuit to \$20.00 per day, the increase to be paid out of the county treasury.

Also:

H. 1560. To amend Section 1 of Act No. 586, H. 1606, Regular Session 1973 (Acts 1973, p. 842) to increase the expense allowance of the clerk and the register of the circuit court of Houston County, Alabama.

Also:

H. 1566. To alter, rearrange and establish commissioners' districts in Pickens County.

Also:

H. 1571. Relating to Covington County; to outlaw the use of any commercial fishing nets in the public waters of said county for a period of five years from the effective date of this act; providing penalties therefor.

Also:

H. 1577. Relating to counties having a population of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of any such counties.

Also:

H. 1147. Relating to the fifteenth judicial circuit, authorizing the hiring of two secretaries, one for the criminal division and one for the civil division of the circuit court, chosen by the presiding judge of the fifteenth judicial circuit, and paid by the county comprising the circuit.

Also:

H. 1213. Relating to Cullman County, providing an expense allowance for the members of the county board of education, which shall be in lieu of any expense allowances now payable to such members.

Also:

H. 1590. To authorize and provide for the establishment of ambulance service for the sick, infirm and injured in Tuscaloosa County.

Also:

H. 805. To amend Act No. 869, H. 1197, 1969 Regular Session (1969 Acts, p. 1579), which act provides for an expense allowance for the members of the board of education in Bibb County, so as to provide further for such expense allowance.

Also:

H. 1237. To amend further Section 5 of Act No. 592, S. 456, Regular Session 1953, as amended, an act providing a civil service system for the City of Anniston (Acts 1953, Vol. II, p. 838), in relation to the manner of appointing the members of the civil service board and to their qualifications.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1277. To amend further Act No. 37, S. 69, Special Session 1964 (Acts of 1964, p. 58) which regulates the compensation of jurors in certain counties classified on a population basis.

Also:

H. 1295. To provide for additional compensation for the official Court Reporters of the Twentieth Judicial Circuit of Alabama, for the performance of their official duties.

Also:

H. 1335. To amend Act No. 356 of the Legislature of Alabama of 1973, to improve the benefits for retired employees by authorizing and ratifying the payment of premiums for life, health and hospitalization insurance for retired employees.

Also:

H. 1413. Relating to counties having a population of not less than 12,700 nor more than 13,100 inhabitants according to the most recent federal decennial census; to allow the governing body to set the mileage allowance for the coroner.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1262. Applying to Madison County, State of Alabama; to regulate massage parlors within Madison County; to make legislative findings concerning the operation of massage parlors within Madison

County, and concerning the difficulty encountered by law enforcement officers in the enforcement of the law in connection with massage parlors; to define terms; to require a license from the Madison County Board of Health for the operation of any said business within the County; to provide health and sanitary requirements for the operation of massage parlors in Madison County; to provide standards for cleanliness in connection with massage parlors in Madison County; to prohibit the use of any massage parlor as a dormitory in Madison County; to prohibit massages by any licensee within said County except upon licensed premises; to prohibit massages behind closed doors; to require health examinations for persons to administer massages; to require that massage parlor premises in said County shall be open to the public and to law enforcement officers during the rendering of any service in connection with same; to provide for automatic termination of a massage parlor license upon final conviction of certain offenses by any owner, manager, or supervisor of a massage parlor in said County; to prohibit any physical contact by a person of the opposite sex in connection with a massage at a massage parlor, bath parlor, or any similar type business in Madison County, to prohibit massaging, or in any way touching, the genital organs of another in connection with a massage or other service rendered by a massage parlor in Madison County; to prohibit any person from advertising or offering any massage or physical touching of the genital organs of another in connection with a massage in Madison County, to provide for the revocation of massage parlor licenses by the Madison County Health Officer after notice and hearing; to provide penalties for the violation of this act; to provide severability for the various sections, paragraphs, sentences, clauses and phrases of this act; and to provide that the act shall become effective immediately upon its passage and approval, or upon its otherwise becoming a law.

Also:

H. 1383. To amend Act No. 1606, H. 1891, 1971 Regular Session (Acts 1971, p. 2761), which creates in the City of Montgomery in connection with the regular organized and paid fire department of the City of Montgomery, the Montgomery Fire Fighters Pension Fund; amending Sections 6, 9, 12, 15, 17 and 24 of said act so as to authorize the trustees of the Fund, in their discretion, to select and appoint a custodian of the assets of the Fund to serve in lieu of the Comptroller of the City and to select and appoint an investment trustee and to delegate to such investment trustee certain managerial powers relative to the handling, investment and reinvestment of such funds; to regulate further the issuance of vouchers on the fund; to increase retirement benefits from such fund; to provide for the return of contributions upon the death of a member who does not leave a surviving spouse or surviving children under eighteen years of age; and to give retroactive effect to some of the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 147. To limit the use of public road and bridge funds of DeKalb County.

Also:

S. 157. To amend Section 2 of Act No. 992, S. 710, Regular Session 1969 (Acts 1969, p. 1756) relating to the county superintendent of education of Crenshaw County, so as to further regulate his compensation.

Also:

S. 158. Relating to law enforcement in Crenshaw County; fixing the fee for the issuance of pistol permits, providing for the deposit of such fees in a fund to be designated the sheriff's fund and providing for the use of such fund.

Also:

S. 260. To amend further Section 1 of Act No. 1737, H. 2566, Regular Session 1971 (Acts 1971, p. 2902), entitled: "An Act to alter or rearrange the boundary lines of the Town of Fyffe, DeKalb County, Alabama, so as to include within the corporate limits of said town all lands lying within the lands hereinafter described," in order to exclude certain lands from the corporate limits of the Town.

Also:

S. 387. Providing that the Probate Judge of Randolph County shall appoint one or more regular clerks in the probate office as deputy registrars empowered to take applications for voter registration at any time the probate office is open for business.

Also:

S. 389. Relating to Randolph County: providing further for the compensation of election officials.

Also:

S. 476. To alter, rearrange and add to the limits of the City of Chickasaw in Mobile County, Alabama, and to alter and rearrange the limits of the City of Mobile in Mobile County, Alabama, by removing certain areas from the limits of the City of Mobile and adding same to the limits of the City of Chickasaw, and to describe the area so removed from the City of Mobile and so added to the City of Chickasaw.

Also:

S. 532. To authorize the county commissions of all counties having populations of not less than 17,000 nor more than 20,000 to provide for the relief of Dan Powell to pay for dentist bills incurred due to a broken tooth received while working for the county.

Also:

S. 603. To amend Section 1 of Act No. 738, H. 1842, 1973 Regular Session (Acts of 1973, p. 1098), entitled, "To revise and re-enact Act No. 1504, S. 1103, Regular Session 1971, (Acts 1971, page 2589, Vol. IV), entitled 'Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees'"; so as to transfer \$150 per month from the law enforcement fund to the district attorney's funds in such counties.

Also:

S. 604. Relating to counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the intermediate court.

Also:

S. 630. To create the office of Deputy District Attorney No. 5 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such office.

Also:

S. 631. To create a solicitor's fund in the Sixth Judicial Circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in the Sixth Judicial Circuit of Alabama; to authorize the county governing body to appropriate funds from the general fund to be placed in the solicitor's fund; and to authorize expenditures of said fund by the District Attorney of the Sixth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Also:

S. 664. Relating to Randolph County; providing for a stenographic secretary for the tax assessor and tax collector.

Also:

S. 665. To provide for the compensation of jurors in Randolph County.

Also:

S. 861. To establish the Employees' Retirement System of the City of Montgomery; to prescribe procedure for the administration of said system and to provide for retroactive effect to May 1, 1969.

Also:

S. 875. Relating to DeKalb County, amending Act No. 376, S. 577, Regular Session 1971 (Acts 1971, p. 669), which act provides an expense allowance for the board of equalization, so as to increase said allowance for the members of said board.

Also:

S. 876. To create the scholarship and loan commission of DeKalb

County for the purpose of providing loans and scholarships to residents of DeKalb County who plan a career in medicine, and to establish a fund for the fulfillment of the purpose of this act.

Also:

S. 877. To amend Act No. 218, H. 708, 1973 Regular Session, which authorizes the governing body of DeKalb County to designate and set up certain projects relating to construction of roads and bridges in DeKalb County, amending Sections 1 and 2 so as to redefine certain terms and to delete the provision restricting certain expenditures for betterment projects and to provide that under certain conditions the state highway director may veto a project approved by the county commission.

Also:

S. 878. Relating to DeKalb County; providing for the salary of the chairman of the county governing body.

Also:

S. 879. Regulating nighttime hunting in DeKalb County; authorizing the taking, catching or killing of raccoons and o'possums under certain conditions and by certain means.

Also:

S. 880. Relating to DeKalb County; to provide that the next election of members of the county commission or other like governing body shall be the general election of 1978; to provide that those members of said commission or other like governing body who were elected in the general election of 1974 shall continue to serve until their successors are elected and qualified and to repeal all conflicting statutes.

Also:

S. 898. Relating to Morgan County; to amend the title and section 11 of Act No. 261, S. 431, Regular Session 1973 (Acts of 1973, p. 294), which act provides for the consolidation of the offices of the county tax assessor and tax collector into one office of county revenue commissioner, so as to clarify the title and to provide for a county referendum vote upon said act.

Also:

S. 926. Relating to all counties having a population of not less than 75,000 nor more than 90,000 inhabitants according to the most recent federal decennial census; granting to corporations organized under and pursuant to the provisions of Act No. 218, adopted at the 1967 Special Session of the Legislature of Alabama, approved May 10, 1967, as amended, the authority to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property and grounds of the corporation and to apprehend those violating applicable laws and ordinances on or near such property and grounds of the corporation and upon any public ways contiguous to any part of such property and grounds; charging and investing such persons with the duties and powers of police officers when acting as authorized by the Act and granting to such officers the authority to eject trespassers from corporation buildings and grounds; providing the authority and procedure for arrest and prosecution of offenders by such officers, with and

without warrant; providing for the jurisdiction of such officers granted by the Act to be co-extensive with the jurisdiction and authority of police officers of the municipality within which the buildings and grounds of the corporation are located; exempting such officers from the terms, provisions, and conditions of Act No. 1981, adopted at the 1971 Regular Session of the Legislature of Alabama, approved September 20, 1971, as amended; providing that the Act shall be construed liberally; and providing for the severability of the provisions of the Act, and for its effective date.

Also:

S. 928. Relating to Chilton County; to change the method of compensating the judge of probate, the tax assessor, the tax collector, the clerk of the circuit court and the register of the circuit court; and to fix the compensation for each of such officers, subject to the ratification of a constitutional amendment.

Also:

S. 931. To provide an expense allowance for the Judge of the Court of Law and Equity in Chilton County.

Also:

S. 934. Relating to Morgan County; to allow the probate judge's office to close upon authorization by the county commission.

Also:

S. 935. Relating to Morgan County; to provide for the location of the offices of the county board of education.

Also:

S. 936. To require the Probate Judge of Morgan County to decline to receive for record in his office any map or plat upon which any lands lying within Morgan County but outside the corporate limits of any municipality with a planning commission or planning board are platted or mapped as streets, alleys or other public ways for subdivision purposes or otherwise unless such map or plat shall have noted thereon the approval of the Morgan County engineer. If, however, said lands be within the corporate limits and police jurisdiction of a municipality with a planning commission or planning board there must be noted thereon the approval of the municipal governing body or municipal engineer.

Also:

S. 937. To amend Sections 3, 16, and 17 of Act No. 129, S. 97, Regular Session 1939, (Local Acts 1939, p. 70) creating the county governing body of Morgan County so as to further provide for meetings of the commission, filling of vacancies and funds from which salaries are paid.

Also:

S. 943. To provide an expense allowance for the Court reporter of the Court of Law and Equity in Chilton County.

Also:

S. 1021. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas

contiguous to Lewis Smith Lake in counties having populations of not less than 50,000 nor more than 52,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Also:

S. 1033. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

Also:

S. 1048. Relating to DeKalb County; providing that the salary of the Deputy District Attorney (County Solicitor) paid by DeKalb County shall be set by the County Commission at not more than \$15,000.00 nor less than \$10,000.00 per year; further providing that the office of Deputy District Attorney is to be a full-time job, and the Deputy District Attorney may not do any work as an attorney or receive any fees from legal work done outside of his duties as Deputy District Attorney.

Also:

S. 1106. To Amend Code of Alabama 1940, Title 2, Section 606, as amended, so as to allow the sale of milk in three quart containers.

Also:

S. 1110. To authorize the dissolution of District Number One Tuberculosis Sanatorium Authority, a public corporation organized under the provisions of Act Number 914 enacted at the 1961 Regular Session of the Legislature of Alabama; to provide for the distribution of the funds of the authority to the several counties making original contributions to the Trustees of said District Number One Sanatorium in the amounts contributed; and to provide for the withholding by the Authority of an estimated amount sufficient to meet any potential unemployment and contingent claims, and for the distribution of all other funds to the several counties, making subsequent contributions to the operation of the sanatorium, in the ratios that the contribution of each bore to the total contributions of all, and then final distribution of any remaining funds not needed to pay unemployment and contingent claims, within two years after the passage of this act in the same percentages.

Also:

S. 1115. To authorize establishment of branch banks in Monroe County.

Also:

S. 932. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Chilton County; and to fix and regulate the costs and charges of courts.

Also:

S. J. R. 131. Commending Dean Pierce for 20 years as Dean of Education at Auburn.

Also:

S. J. R. 134. Commending the Alabama Country Gospel Music Association.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1421. Relating to all counties having populations of not less than 56,500, nor more than 59,000 inhabitants according to the most recent federal decennial census; increasing the compensation of the members of the jury commission.

Also:

H. 1422. Relating to Lauderdale County; providing further for the election of the members of the county board of education.

Also:

H. 1458. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) as amended, which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices, so as to increase the salary of certain officers.

Also:

H. 1481. Relating to Walker County; levying a 4 mill ad valorem tax to be paid to the Walker County Board of Education and distributed by the Walker County Board of Education in accordance with amendment No. 204 to the 1901 Constitution of the State of Alabama; providing for the purposes to which the funds provided by said tax are to be put; further providing that such tax shall take effect upon being approved by the voters of said county in an election to be called by the governing body of Walker County, Alabama and pursuant to the Constitution of Alabama and the law relating thereto.

Also:

H. 1465. Relating to Madison County; to provide that the notice required to be given to delinquent taxpayers prior to the sale for taxes of their property be given by publication; to provide that trials be held to determine whether such sale should be ordered; to provide a method to give notice to delinquent property owners to show cause why a decree of

sale should not be rendered against them; to provide a method for the sale of said property and the report of the amount of taxes collected from said sale.

Also:

H. 170. Relating to Washington County; providing for the construction, maintenance and repair of public roads, highways, bridges and ferries under the county unit system; authorizing and requiring the county governing body to employ and regulate the compensation of a county engineer; providing for the manner of selecting said engineer; prescribing his qualifications; defining his authority, powers and duties and those of the county governing body in relation to the roads, bridges and ferries of Washington County.

Also:

H. 210. To amend further Act No. 172, H. 187, 1st Special Session 1964, as further amended which Act related to Judicial Circuits composed of one county and having not less than six nor more than nine Circuit Judges, by increasing the salary range for the Administrative Assistant to the District Attorney and the two Legal Stenographers and the addition of a Legal Stenographer in such counties.

Also:

H. 355. To amend further section 1 of Act No. 192, H. 262 First Special Session 1964 (Acts 1964, P. 256) an Act providing an annual allowance for purchasing uniforms for deputy sheriffs in counties having populations of not less than 300,000 nor more than 500,000 so as to regulate further the amount of such allowance.

Also:

H. 1215. Relating to Cullman County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Also:

H. 363. Relating to counties having a population of not less than 300,000, nor more than 500,000 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowances payable by the state for feeding prisoners, to provide that the provisions of this Act shall be effective upon passage.

Also:

H. 421. To allow prospective jurors to be excused without the presence of the defendant in all judicial circuits of Alabama having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census.

Also:

H. 424. Relating to the Fifth Judicial Circuit of Alabama; to provide for an investigator who shall be furnished with an automobile and other equipment necessary for the performance of investigative duties; to

prescribe the investigator's powers, duties and authority and to fix his compensation and provide for the payment thereof.

Also:

H. 426. Relating to the method of giving notice of the requirement of attendance of jury service in all judicial circuits of Alabama, having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census.

Also:

H. 428. To apply only in the circuit courts of all judicial circuits having populations of not less than 95,000 nor more than 114,000 according to the most recent federal decennial census; to provide that in such courts the parties to any action, except prosecutions for capital felonies, may at any stage of a trial then pending and whether the jury has retired or not, unanimously consent with legal effectiveness to the discharge from further duty of any member of the jury trying the case, and to a continuation of the trial and the rendition of a verdict by the remaining jurors; and to further provide that in such courts and in such actions the parties may, prior to the commencement of a trial unanimously stipulate in open court with legal effectiveness that in the event it becomes necessary during the pendency of the trial, whether the jury has retired or not, for the court to discharge from further duty any member of the jury trying the case because of the juror's sickness or other good cause, the trial shall continue with and a verdict be rendered by the remaining jurors.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a **quorum of the Senate present**, and immediately after their titles had been publicly read at length by the Secretary of the Senate, **signed the foregoing bills**, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 186. Relating to Montgomery County: To authorize and establish the office of warrant magistrate; to provide for the appointment of three warrant magistrates; to provide for the qualifications of persons holding such offices, duties and said offices and the compensation and method of payment of same; to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 450. Relating to Jackson County, providing for a salary for the chairman of the county governing body and providing for a monthly expense allowance for the chairman and members of said county governing body.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1121. To amend further Act No. 263, S. 222, Special Session 1961 (Acts 1961, p. 2280), relating to the compensation of election officers in counties having populations of not less than 300,000 nor more than 500,000.

JOHN W. PEMBERTON,
Clerk.

BILL RECONSIDERED

On motion of Mr. Gilmore, the Senate reconsidered the vote by which the Bill:

H. 978. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant ad valorem tax exemptions for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

was passed on the Thirty-third Legislative Day.

On motion of Mr. Gilmore, the Senate reconsidered the vote by which the Bill, H. B. 978, was ordered to its third reading.

Mr. Gilmore offered the following amendment to the Bill, H. B. 978, to-wit:

AMENDMENT TO H. B. 978

Amend the Title of H. B. 978 by adding on line 10 after the word "exemptions" the following words "on city ad valorem taxes".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 978, as thus amended, was again read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

REPORTS OF COMMITTEES

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 1183. "To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding \$3,000,000 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the

Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the special tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority; to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority."

By Mr. Merrill:

H. 1184. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding \$3,000,000 in aggregate principal amount.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Waggoner (with notice and proof):

H. 1454. To add to the land limits of the City of Vestavia Hills in Jefferson County, Alabama, by removing certain area now part of the unincorporated area of Jefferson County, Alabama, and adding same to the land limits of the City of Vestavia Hills, and to describe the area so removed from the unincorporated area of Jefferson County, Alabama, and so added to the City of Vestavia Hills.

Mr. St. John, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Barron, Harris, Wyatt, Smith (J) and Folmar:

H. 451. To amend Section 584 of Title 7, Code of Alabama 1940, relating to the registration of judgments and decrees, so as to require the address of each defendant or respondent as shown in the court proceedings to appear on the certificate of registration.

By Mr. Manley:

H. 788. To further amend and reenact the Title and Act of Act No. 563, S. 8, Acts of Alabama 1965, Regular Session, at pages 1049-1050, as amended by Act No. 725, S. 82, Acts of Alabama 1967, Regular Session, at pages 1560-1561, relating to the reporting of incidents of abuse or neglect of children: by adding a new section 1, which gives definitions of "abuse", "neglect," "child" (meaning a person under the age of eighteen years), and "duly constituted authority"; by adding a new section 2, which gives the purpose of the Act; by amending section 1 to be section 3, to include

further categories of persons who are required to report child abuse or neglect and to provide for reporting to a "duly constituted authority"; by adding a new section 4, which allows for permissive reporting of child abuse or neglect; by amending section 2 to be section 5; by adding a new section 6, which provides for protective custody of abused or neglected children; by adding a new section 7, which gives the duties of the department of pensions and security upon a receipt of a report of child abuse or neglect; by adding a new section 8 which provides for the establishment of a central registry of reports of child abuse and neglect and also provides for the confidentiality of such reports and records, with a violation of this provision of confidentiality being a misdemeanor and punishable accordingly; by amending section 3 to be section 9; by amending section 4 to be section 10 and by excepting the attorney client privilege from the provision whereby the doctrine of privileged communication is not grounds for excluding evidence in judicial proceedings resulting from reports of child abuse or neglect; by adding a new section 11, which provides that in every case involving an abused or neglected child which results in a judicial proceeding, an attorney will be appointed to represent the child; by adding a new section 12 which provides that the department of pensions and security may make regulations as may be necessary to implement this Act; by amending sections 5, 6, 7 and 8 to be sections 13, 14, 15, and 16 respectively; and by making further changes.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hill, Greer, Coburn and Goodwin:

H. 1046. To prohibit the unauthorized copying of certain recorded articles for sale and the sale of such articles with knowledge that the sounds have been transferred thereon without the consent of the owner and providing punishment therefor.

By Mr. Gafford:

H. 1372. To exempt warrants issued by a county under the provisions of Act No. 1128 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying costs of acquiring and providing water works systems from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Mr. Gafford:

H. 1373. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Mr. Gafford:

H. 1374. To exempt securities issued by any county payable from or

secured by a pledge of any part of the tax proceeds of the special tax authorized to be levied under the second proviso of Section 215 of the Constitution of Alabama of 1901, as amended by Amendment CCVIII, and Title 12, Sections 185, 186 and 191 of the Code of Alabama of 1940, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Mr. Gafford:

H. 1370. To exempt warrants issued by a county under the provisions of Act No. 1092 adopted at the 1973 Regular Session of the Legislature of Alabama for the purpose of paying the cost of reappraisal of property as required by Act No. 160 adopted at the 1971 Third Special Session of the Legislature of Alabama from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Messrs. Gafford and Waggoner:

H. 1195. To exempt gas districts now or hereafter organized under the provisions of Act No. 762 adopted at the 1951 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Mr. Gafford:

H. 1371. To exempt warrants issued by a county under the provisions of Act No. 220 adopted at the 1967 Regular Session of the Legislature of Alabama in anticipation of and payable solely out of that portion of the highway gasoline tax required by law to be distributed by counties which are subject to the provisions of such Act from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

By Mr. Turnham:

H. 291. Relating to taxation; amending Section 613, Title 51, Code of Alabama (1940), as last amended, which relates to the licensing of vending machines.

By Mr. Drake:

H. 672. To amend Sections 3 and 6 of Act 566, Regular Session of the Legislature, 1969 (Acts of Alabama 1969, Volume II, p. 1046), as amended by Act 1125, Regular Session of the Legislature, 1973 (Acts of Alabama 1973, Volume IV, p. 1893), the title of which original act is "To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts, in Equity, in the various counties of the state of Alabama having a population of less than 600,000 population, according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office, and providing for the payment of their salaries," and providing for an increase in the annual salary percentage, and by increasing the minimum and maximum salary allowed for such supernumerary officials; but the minimum and maximum salary shall apply only to those officials

qualifying for supernumerary status after the effective date of this act and providing for an additional period of election to become eligible to be covered under the provisions of the act.

By Messrs. Drake and Sparks:

H. 616. To provide for a retirement system for the sheriffs of the various counties within the state.

By Messrs. White, Gafford and Falkenburg:

H. 1098. To amend, add to, and repeal part of Act No. 1407 passed in the Regular Session of the 1971 Legislature (Acts p. 2378) and approved September 16, 1971, called the Alabama Controlled Substances Act, concerning the regulation of the possession and use of controlled drugs in Alabama, establishing penalties for violations of the various sections of the Act, and standardizing all laws in the State to be in conformity with the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970, as amended, and to repeal existing State Statutes in conflict.

By Mr. Moore (O), et al:

H. 640. To exempt from the sales tax levied by Act 100, Second Special Session, Legislature of Alabama 1959, sales of sod by a farmer.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sonnier, Sandusky, Callahan and Cooper (With Amendment):

H. 211. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said Circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sonnier, Malone, Kennedy, Sandusky, LeFlore and Cooper:

H. 357. To apply only in Mobile County providing for service of witness subpoenas by mail.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Callahan (with notice and proof) (With Amendment):

H. 781. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

By Mr. Callahan (with notice and proof) (With Amendment):

H. 782. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Callahan:

H. 1120. To provide for supplementing the compensation paid to retired Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than twelve circuit judges.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Callahan and Sonnier (with amendment):

H. 1161. To fix the compensation or salary and allowance of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

By Mr. Rich (With Amendment):

H. 1456. Relating to the coroner's office in all counties having populations of not less than 15,400 nor more than 15,625 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Wyatt:

H. 1506. Relating to all counties having populations of not less than 150,000 nor greater than 180,000 according to the most recent federal decennial census; to regulate the hours and times that alcoholic beverages may be sold, served, or given away in public places and to remove restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Carothers, Crawford and Smith (J) (with notice and proof)
(With Amendment):

H. 1545. To allow or rearrange the boundaries of the City of Dothan, Houston County, Alabama, so as to include within the corporate limits of said City all territory within such corporate limits and also certain other territory contiguous thereto.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Taylor, Ford and Rich:

H. 1740. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the state having a population of not less than 50,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for a committee including such governing bodies to appoint members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease or cause to be leased such facilities to others, and to develop, acquire and lease or cause to be leased certain retail and service establishments in conjunction with and as a part of the parking facilities; to grant the Authority other powers incidental to the powers above enumerated, including but not restricted to the power of eminent domain; to authorize the city to aid the Authority in planning, constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in or indenture by the Authority and a trustee, or by resolution providing for the issuance of bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county wherein the Authority is located; to provide that bonds or other debts of the Authority shall not constitute a debt of the state or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this state to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings bank and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority, and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

By Messrs. Malone and Kennedy:

H. 1822. To amend further Sections 3, 11, 12, 13 and 18 of Act No. 107, H. 150, Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system of the City of Prichard; to provide for the retroactive effect of the amendatory provisions of this Act.

By Messrs. Ford, Taylor and Brindley (with notice and proof):

H. 1848. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

By Messrs. Baker and Whatley:

H. 1853. To provide for and prescribe the form of government for any city having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census; and to provide for the abandonment of the existing form of government.

By Mr. Dial:

H. 1889. Proposing a further amendment to Amendment No. 331 of the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County, eliminating the requirement for a county referendum.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Manley and Pegues (with notice and proof):

H. 1894. Relating to Marengo County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of said county; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and to authorize the county commission to pay the salaries of the clerical and secretarial employees that may be hired from time to time to staff the offices of such officials.

By Messrs. Hill and Greer:

H. 1896. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; to provide that there shall be a referendum election in all such counties to determine whether or not the construction and maintenance of the county road system shall remain under the supervision and control of the state highway department.

By Mr. McNees:

H. 1909. Amending Act No. 791, H. 979, 1971 third Special Session of the Legislature (Acts 1971, Vol. II, p. 1525) to increase the compensation for the secretary to the district attorney of the twenty-fourth judicial circuit, and to provide for proportional payment by the counties constituting said circuit.

By Mr. Manley:

H. 1912. Relating to all counties having populations of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

By Mr. Killian (with notice and proof):

H. 1921. An Act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

By Mr. Smith (J):

H. 1924. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; to authorize the county commission to appoint an Engineer Trainee; to provide for his compensation; to prescribe certain qualifications and duties; to provide for state participation in his salary and to repeal conflicting laws.

By Mr. Carter:

H. 1926. Relating to all counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; authorizing the county commission of such counties to pay additional compensation for jurors in such counties retroactively for a three-month period.

By Messrs. Kelley and Mitchem (with notice and proof):

H. 1927. Relating to Marshall County. To provide for the employment and salary of a communications and information specialist in the sheriff's department of Marshall County.

By Messrs. Kelley and Mitchem:

H. 1928. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; creating a county government study commission in each of such counties.

By Messrs. Mitchem, Brindley and Kelley (with notice and proof):

H. 1933. Relating to Marshall County; providing additional allowances for the clerk hire funds for the offices of the judge of probate, tax assessor and tax collector to be paid from any available county funds, and providing additional compensation for bailiffs to be paid from the county general fund.

By Mr. Smith (J):

H. 1937. To amend Act No. 277, H. 660, approved August 8, 1973, which authorizes the County Commission, Board of Revenue, or other Geneva County governing body to provide clerk-hire allowance for the Clerk of the Circuit Court, the Tax Assessor, and the Tax Collector of Geneva County so as to increase the amount of such allowances.

By Mr. Smith (J):

H. 1938. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; provides expense allowance for the members of the county commission of said counties.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reed (with substitute):

H. 1950. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for a salary increase for the chief deputy sheriff and the deputy sheriff of any such county; to provide an additional expense allowance for the sheriff; and providing two additional jailors for such county and their compensation.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reed:

H. 1951. Relating to the office of the sheriff in all counties having populations of not less than 11,500 nor more than 12,500 inhabitants, according to the most recent federal decennial census; to provide for an additional jailer and fix his salary.

By Mr. Rich (with notice and proof):

H. 1885. To provide an expense allowance for the Deputy Solicitor for Cherokee County, Alabama.

By Messrs. Hill and Greer (with notice and proof):

H. 1795. Regulating through licensure the occupation of plumbing in Lauderdale County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

By Mr. Rich (with notice and proof):

H. 1437. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

By Mrs. Quarles:

H. 1914. To create a county planning commission in every county in this state which has a population of not less than 27,900 nor more than 33,500, according to the most recent federal decennial census; to provide for the organization, membership, powers, personnel, jurisdiction, and financial and legal status of such commission; to authorize the commission to make subdivision regulations, a master plan, and to adopt zoning regulations for the development of the county; to provide for an election in each beat prior to the application of such authority of the commission in each beat; to grant the commission power to zone certain areas within the county and provide a procedure for the amendment of zoning regulations; to prohibit zoning regulations from being retroactive; to provide remedies for the enforcement of the provisions of this act; and to provide exceptions to such zoning regulations and for appeals from the decisions of the commission.

By Messrs. Moore (O), Waggoner and Smith (C) (with notice and proof):

H. 1892. To provide for the compensation of bailiffs for the grand jury and for bailiffs serving in courts in Shelby County.

Mr. Jones, Chairman of the Standing Committee on State Government, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Higginbotham, Turnham and Whatley:

H. 1197. To amend further Section 388, Title 14, Code of Alabama 1940, relating to the duties of the state toxicologist so as to allow him to microfilm records in lieu of maintaining original reports as currently required.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sasser:

H. 1883. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971 (Acts 1971, p. 3012) relating to the board of registrars in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census so as to further regulate the days, hours, and places of the meetings of the board of registrars and the compensation of its members.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1906. To amend Sections 2 and 3 of Act No. 1067, S. 938, Regular Session of 1973 (Acts 1973, p. 1802) which act provides for a county commission in all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census so as to provide further for the election of the members of

said commission and to provide further for the meetings of said commission.

By Messrs. Naramore and Crowe (with notice and proof):

H. 1905. To amend Section 13 and 14 (a) of Act No. 113, H. 69, First Special Session, 1965, an act providing a civil service system for the City of Jasper, in relation to the number of days an employee can be suspended without right of hearing; and permitting any citizen to file charges.

By Messrs. Crowe and Naramore (with notice and proof):

H. 1903. To authorize the creation of the office of commissioner of licenses of Walker County; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

By Messrs. Brindley and Jolley (with notice and proof):

H. 1850. Relating to the thirtieth judicial circuit; providing for the compensation of the clerk-secretary for the office of district attorney of said judicial circuit; and prescribing the duties of such clerk-secretary.

By Mr. Crowe:

H. 1874. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

By Messrs. Crowe and Naramore:

H. 1901. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

By Messrs. Crowe and Sparks:

H. 1902. To amend the title and Section 1 of Act No. 115, H. 71, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation of members of the county board of education of certain counties classified on a population basis.

By Messrs. Coburn and Goodwin:

H. 1936. To repeal Act No. 355, H. 884 of the Regular Session of 1965 (Acts 1965, p. 490), entitled "An Act To provide for and require reidentification of the registered voters of counties having a population of not less than 48,020 nor more than 49,750 according to the last or any subsequent federal census and imposing duties upon the Judge of Probate and upon the electors whose names appear on the list of qualified voters in such counties."

By Mr. Killian:

H. 1836. To provide an additional expense allowance for the circuit court reporters of the Ninth Judicial Circuit by the counties composing said circuit.

By Messrs. Killian and Mitchem (with notice and proof):

H. 1864. Relating to DeKalb County; imposing an additional excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county, except diesel fuel used for any purpose whatsoever; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

By Messrs. Killian and Mitchem (with notice and proof):

H. 1865. To limit the use of public road and bridge funds of DeKalb County.

By Messrs. Killian and Mitchem (with notice and proof):

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

By Messrs. Killian and Mitchem (with notice and proof):

H. 1867. Relating to DeKalb County; to provide that the DeKalb County Commission may levy and collect a severance tax on coal produced in said county at a rate to be established by said county commission; to provide that such tax shall be in addition to any state severance tax on coal and shall be deposited in the general fund of said county to be expended at the discretion of said county commission.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Mitchem and Kelley (With Amendment):

H. 1899. A bill relating to all counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; providing for the establishment of a new salary commission and abolishing the former commission; establishing the powers, duties, compensation and method of appointment for the new commission; repealing Act No. 800, H. 1916, Regular Session (Acts of 1973, p. 1216) and other conflicting statutes.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brindley:

H. 1463. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers in Blount County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Johnson:

H. 1318. Relating to counties having a population not less than 115,000, nor greater than 150,000, according to the latest federal decennial census; providing that, in addition to the \$12 per diem now being paid by the state, poll workers and election officers shall be paid \$12 per diem from the county general fund.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Teague, McCluskey, Dial, Moore (O), and Callahan:

H. 1698. To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1698. To the Committee on Rules.

RESOLUTION

Messrs. Jones, Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson,

Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 142. HONORING JAMES V. "JAKE" JORDAN UPON HIS RETIREMENT AS STATE BUDGET OFFICER

WHEREAS, James V. Jordan, affectionately known to his associates and host of friends as "Jake", is retiring from public service after rising from accountant to State Budget Officer, over a period of thirty-seven years, viz: two years in the Highway Department, six and one-half years in the Treasurer's Office and Finance Department and almost thirty years as State Budget Officer; and

WHEREAS, "Jake" has always contributed generously of his leadership, time, talents and means to his state and its citizens; and

WHEREAS, "Jake" Jordan has often stood as a lone warrior conscientiously and doggedly fighting to preserve fiscal responsibility in state government; and

WHEREAS, Mr. Jordan enlisted in the United States Marine Corps on September 16, 1942, and served with distinction in the Pacific Theatre of Operations until his discharge on November 5, 1945; in recognition of his multitudinous talents in the fiscal management field, on July 22, 1952 he was appointed and federally recognized as Major in the Finance Corps of the Alabama Army National Guard, and he subsequently served as budget and fiscal officer for the State Headquarters and Headquarters Detachment divisions where his dedicated services earned him the promotion on November 23, 1959, to the rank of Lieutenant Colonel. Although he had attained the maximum years of service as a commissioned officer, he still was anxious to further serve his state and country and on February 19, 1965 he accepted an appointment as Chief Warrant Officer W-2 and served with enthusiasm until his retirement from the National Guard on July 21, 1969. Among one of his most noteworthy contributions in the Guard was his assignment in the Phenix City Cleanup in 1954, as the principal aide to Major General "Crack" Hanna, State Adjutant General, in bringing a state of order and normalcy out of turmoil and lawlessness during that troubled time; and

WHEREAS, James V. "Jake" Jordan was nationally recognized for his fiscal acumen upon his election as national president of the State Budget Officers' Association in 1953; and

WHEREAS, Jake Jordan is held in the highest of esteem, as a patriot, soldier, and as a public servant, and his activities in each of these endeavors have reflected great credit on himself, the Alabama National Guard, this State and this Nation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That James V. "Jake" Jordan is hereby congratulated and heartily commended for his dedicated, conscientious, and inimitable service as a public servant and his exceptionally meritorious and distinguished military service, and we do thank him for his long and faithful service to his fellow man, the State of Alabama and the United States and wish for him every happiness on his retirement as State Budget Officer of the State of Alabama.

BE IT FURTHER RESOLVED, That the Secretary of the Senate deliver a copy of this resolution to Jake Jordan as a symbol of the

appreciation shared by the members of this body, his fellow employees and the people of Alabama.

On motion of Mr. Jones, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 701. To further amend, and to revise and re-enact Title 22, Chapter 2, of the Code of Alabama of 1940 to provide further and more adequately for the protection against rabies.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crawford and Williams:

H. 1385. To provide an appropriation by the State Legislature out of the General funds in the amount of \$300,000 per year beginning October 1, 1975, through September 30, 1976, for the State of Alabama, State Planning and Development Districts as designated by Executive Order June 14, 1971, reference, Act No. 1126, Regular Session, 1969, at the rate of \$25,000 each per year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1385. To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 190. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement or transportation, of certain farm products after the hour of sunset and before the hour of sunrise.

Also:

S. 192. To amend Sections 3, 6 and 7 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of

1963, Vol. 2, p. 931), as amended, an Act to regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds, etc.; to amend Section 3 of said Act No. 424 to prescribe the time of the test to determine the percentage of germination for agricultural and vegetable seed sold or offered for sale or distributed in hermetically sealed containers; to amend Section 6 of said Act No. 424 to require invoices of certain sales of seed sold at retail to be furnished to the buyer and that a record thereof with certain information thereon be kept by the seller; and to amend Section 7 of said Act No. 424 to authorize the adoption of rules and regulations governing the sale of seed that are subject to the provisions of the "Plant Variety Protection Act" of the Congress of the United States.

Also:

S. 446. To amend Act 404, Acts of Alabama, Regular Session, 1945, page 643, to provide that an association or associations of farmers engaged in multiplying and certifying seed or plant parts of a superior variety or strain and in increasing breeder seed by producing, processing and distributing foundation seed, may adopt symbols for such seed and register them with the Commissioner of Agriculture and Industries; to make it unlawful for any person, firm, association or corporation to sell, offer for sale, or otherwise distribute or market foundation seed for any one specified crop, other than the association which registered the symbol or symbols thereof with the State Commissioner of Agriculture and Industries; to authorize and direct the Department of Agriculture and Industries, the Alabama Cooperative Extension Service, and the Alabama Agricultural Experiment Station, to cooperate and coordinate with such associations of farmers to implement and conduct a seed improvement program, and to conduct educational programs stressing the benefits of the use of superior seed varieties.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Lee, Barron, Johnson, Clark, Shelton, Harris, White, Cross, Roberts and Goodwin:

H. 645. To provide a system of permanent voter re-identification which shall have uniform statewide application; to require the registrars to record the fact that a voter presents himself to vote at each election and whenever a qualified voter fails to present himself at any election during a four year period, to suspend such voter's registration; to provide for the restoration after its suspension, of a voter's name to the list of registered voters; to amend Code of Alabama 1940, Title 17, Section 36, to conform to this act; and to repeal all laws general, local or special providing for a different manner of voter re-identification or in anywise conflicting herewith, including specifically certain acts enumerated in this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 645. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Kelley:

H. 1628. To amend Section 4 of Act No. 712, H. 48, Acts of Alabama 1951 (Acts 1951, Vol. II, p. 1250) relating to tourist advertising, to permit the purchase of intrastate advertising of state-owned parks by bureau of publicity and information.

Also:

By Mr. Morris:

H. 925. To appropriate a one-time grant in the amount of \$150,000 from the Special Educational Trust Fund to Alexander City Junior College to be used to provide a capital outlay purposes at Draper Correctional Center, Frank Lee Youth Center, and Julia Tutwiler Prison.

Also:

By Messrs. Owens and Biddle:

H. 499. To authorize the Department of Public Safety to provide insurance coverage for reserve or auxiliary state troopers to the same extent as that provided for regular state troopers; to provide that costs of such insurance shall be paid by the Department of Public Safety in the manner provided by law; and to provide an effective date.

Also:

By Mr. Naramore:

H. 1729. To amend the provisions of Act No. 763, H. 286, 1973 Regular Session, approved September 5, 1973, which provided a \$5.00 per day subsistence allowance for certain law enforcement officers, so as to extend the provisions of said Act to state law enforcement officers employed by the Revenue Department, Public Service Commission, Industrial Relations Department, Health Department and Insurance Department.

Also:

H. 996. To amend Sections 8, 10, 14, 18, 20, 21, and 22 of Act No. 576, Acts of Alabama 1959, page 1442, volume 2, as amended, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation and Natural Resources Department of this State; the enforcement of this act, duties of the commissioner of the State

Department of Conservation and Natural Resources; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation and Natural Resources Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Commissioner of Conservation and Natural Resources with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; to repeal all laws in conflict with the provisions of this Act."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1628, 925, 499, 1729 and 996. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Owens:

H. J. R. 397. CREATING THE CAHABA RIVER COMMISSION.

WHEREAS the Cahaba River is one of the most historic and beautiful rivers in the State of Alabama; and

WHEREAS there is need for the creation of a Cahaba River Commission; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a commission to be known as the Cahaba River Commission to consist of ten members.

There is hereby created a commission to be known as the Cahaba River Commission to consist of ten (10) members. Two (2) such members shall be residents of each of the following counties: Jefferson, Shelby, Bibb, Perry and Dallas. All members are to be appointed by the Governor for a term of six (6) years; however, of the first members appointed one shall be appointed from Jefferson County and one appointed from Bibb County shall be for a term of five (5) years; one appointed from Shelby County and one appointed from Perry County shall be for four (4) years, one appointed from Bibb County and one appointed from Dallas shall be for three (3) years, one appointed from Perry County and one appointed from Jefferson County shall be for two (2) years, and one appointed from Dallas County and one from Shelby County shall be for one (1) year. All

subsequent appointments to fill vacancies caused by the expiration of the term shall be for six (6) years. A chairman of the commission shall be elected by the members making up such commission.

The Cahaba River Commission shall have authority to make recommendations and conduct studies pertaining to the environmental impact of any actions or activities on the river.

The members of the Cahaba River Commission shall not receive any compensation or reimbursement for any expenses incurred by such members.

The Cahaba River Commission shall report their activities and recommendations to the Alabama Legislature from time to time.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 397, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill:

H. 1389. Relating to Coosa County, providing monthly expense allowances for the tax assessor and tax collector of said county; and giving this Act retroactive effect.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 1389, and containing suggested Executive Amendments.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 23 DAY OF SEPTEMBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, House Bill Number 1389, without my signature and approval, and with the following suggested Executive Amendments.

It is suggested that you amend House Bill Number 1389 by deleting, in its entirety, the title and inserting in lieu thereof the following:

"Relating to Coosa County, providing monthly expense allowances for the tax assessor, tax collector, and circuit clerk of said county; and giving this Act retroactive effect."

It is further suggested that you delete Section 1 in its entirety, and insert in lieu thereof the following:

"Section 1. The tax collector, the tax assessor, and the circuit clerk of Coosa County shall each be entitled to, and shall receive, a monthly expense allowance, in addition to any and all salary, expense allowance, or other compensation now payable to such persons, of \$250.00, payable in monthly installments from the general fund of such county."

The adoption of the above and foregoing Executive Amendments will remove my objections to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 78, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 65, Nays 0.

And said Bill, H. 1389, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Littleton, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 1389, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 1389, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 137. MOURNING THE DEATH OF FORMER REPRESENTATIVE D. C. ("DEACON") GREY.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution.

H. J. R. 6. Relative to creating a select committee to study the best method of utilizing the natural resources of southwest Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 209. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of two investigators to prescribe their authority and powers and prescribe their compensation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 377. To provide retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census, between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1639. To provide for the salaries of the clerical assistant to the district attorney and the court reporters in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1189. To create the office of supernumerary sheriff for Blount County, Alabama and to prescribe the qualifications, duties, appointment, elections and salary of such office.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1637. To provide for the salaries and expense allowances of the circuit clerk and register of the circuit court in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1466. To provide for the creation, incorporation, organization, operation, administration, and financing of one or more local districts

within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, supplying water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services; and the guarding and protection of lives and property; to provide for the fixing, levy and collection of taxes, rates, fees and charges for such services, to constitute such taxes, fees and charges a debt of and claim against those owning property or residing within the District and a lien upon the property in the District; to provide penalties for non-payment; and to provide for the borrowing of money and the issuance of bonds or other obligations by or on behalf of such districts.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1479. Relating to DeKalb County; to provide an additional expense allowance for the chairman and members of the county commission.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 589. To require the members of the board of registrars in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent or any subsequent decennial census to be available at the city hall of each incorporated municipality for the purpose of voter registration and voter reidentification, once each 6 months, and to be available at certain unincorporated areas in the county once each 6 months at the request of the House of Representatives member who represents such area with the concurrence of the Senate member who represents such area.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 803. To amend Sections 6, and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge and

his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 919. To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 324. Relating to any county having a population of 600,000 or more, according to the most recent decennial census; providing residency requirements for members of the county public school board of education, and for those who vote for candidates in an election for a place on the county school board; and providing that present members shall be exempt from the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 809. To provide that the clerk of the Circuit Court of Bibb County shall be entitled to certain warrant fees in addition to any other compensation or allowances heretofore provided by law.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 159. Relating to Madison County, to set standards for judicial officers in said county for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Lutz, Moore, (W) and Riddick.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. King, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 159, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. King, Baker and McDonald (A).

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1488. To provide that the Shelby County Commission is authorized to provide an additional expense allowance to certain county officers.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Moore (O), Smith (C) and Waggoner.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Littleton, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1488, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mitchell, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Littleton, Gilmore and Fine.

**SPECIAL ORDER
BILLS ON THIRD READING**

The Senate proceeded to consideration of the special, paramount and continuing order of business for the day, the first of which was the Bill:

S. 939. Relating to all counties having a population of not less than 27,900 nor more than 33,500 according to the most recent federal decennial census, setting the salary for the county solicitor or deputy district attorney.

And said Bill, S. B. 939, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1289. To amend the title and Section 1 of Act No. 235, H. 904, Regular Session 1965 (Acts 1965, P. 339), which provides further for redeeming land sold for taxes, transfers certain duties of the probate judge to the tax collector of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 810. Relating to Bibb County; to require the county commission to establish a county-wide personnel and merit system under the supervision of the State Personnel Department.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1124. To create the office of ex-officio judge of the Tuscaloosa County Court; to prescribe the powers, duties and authority of the ex-officio judge; to provide for the appointment of such ex-officio judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him; and to provide a supervisory board, and prescribe its authorities and responsibilities.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1124, to-wit:

COMMITTEE AMENDMENT TO H. B. 1124

Amend H. B. 1124 by striking Section 5 on Page 2 in its entirety and inserting in lieu thereof the following:

“Section 5. It shall be the duty of said ex-officio judge, or his duly and legally constituted assistant or assistants to issue legal process from said court, to take affidavits and to issue warrants of arrest returnable to such court, to examine complaints and witnesses and to examine into facts preliminary to the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail under any warrant of arrest issued by him and to approve or disapprove any such bonds and to keep a record of all warrants handled by him as ex-officio judge. It shall also be the duty of said ex-officio judge, or his duly and legally constituted assistant or assistants to solemnize the rights of matrimony. Said ex-officio judge or his duly and legally constituted assistant or assistants shall be such magistrates as have power and authority to issue search warrants.”

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1124, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1752. To create the office of supernumerary sheriff in all counties with a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent decennial census, and to prescribe the qualifications, duties and salary of such office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Powell, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 915. To create a solicitor's fund in the Sixth Judicial Circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in the Sixth Judicial Circuit of Alabama; to authorize the county governing body to appropriate funds from the general fund to be placed in the solicitor's fund; and to authorize expenditures of said fund by the District Attorney of the Sixth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Owen, Pearson, Perloff, Perry, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 916. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Johnson, Owens and Howard.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 916, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Shelby, Bank and Gilmore.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1592. To provide in Tuscaloosa County, Alabama, for the creation, maintenance and regulation of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes; to prescribe conditions and regulations relative to the creation of such districts; to prescribe the organization, rights and powers of such districts; to prescribe limitations on such rights and powers and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1758. To provide for compensation for members of the jury commission in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1831. Relating to all counties having a population of not less than 13,500 nor more than 14,250 inhabitants according to the most recent federal decennial census; authorizing the county governing bodies of such counties to make an additional annual appropriation to the tax assessor and tax collector for clerk hire allowances to be paid from the county treasury.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1257. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

was taken up.

The Standing Committee on Local Legislation No. 2 reported the following amendment to the Bill, S. B. 1257, to-wit:

COMMITTEE AMENDMENT TO S. B. 1257

Amend S. B. 1257, Section 2, subsection (g), line 15, page 2, by deleting the figure "400,000", and inserting in lieu thereof the following figure: "600,000."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Standing Committee on Local Legislation No. 2 then reported the following amendment to the Bill, S. B. 1257, as amended, to-wit:

COMMITTEE AMENDMENT NO. 2 TO S. B. 1257

Amend S. B. 1257, Section 7, p. 8, line 33, by deleting the figure "9", and inserting in lieu thereof the figure "10".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Standing Committee on Local Legislation No. 2 then reported the following amendment to the Bill, S. B. 1257, as amended, to-wit:

COMMITTEE AMENDMENT NO. 3 TO S. B. 1257

Amend S. B. 1257 on Page 10, Line 24, by striking out the words "an act" after the word "act".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Standing Committee on Local Legislation No. 2 then reported the following amendment to the Bill, S. B. 1257, as amended, to-wit:

COMMITTEE AMENDMENT No. 4 TO S. B. 1257

Amend S. B. 1257 in Section 10, Page 11, Line 26, after the word "body." by inserting the following:

"In the event there shall be no public transit authority in said county, the tax levied by this Act shall be reduced from four cents (\$0.04) to two cents (\$0.02) and all proceeds shall be distributed to the county health department."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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And said Bill, S. B. 1257, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 1.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nay: Mr. Ellis

—1

The Bill:

H. 60. Relating to counties having populations of 600,000 or more according to the most recent federal decennial census; to regulate further the taking of fish from public streams and impounded waters in such counties except in municipal parks; authorizing the taking of non-game fish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties for violation of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 801. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flipppo, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1738. To provide for an expense allowance for the president of the board of commissioners and each associate commissioner of the board of any city having a population of not less than 32,000 nor more than 34,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1261. Relating to Marion County, Alabama, providing for a secretary for the courts of such county, prescribing the means of appointment and removal, the duties and compensation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Pearson, Perloff, Perry, Roberts, Shelby, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1837. Relating to counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; providing for the salaries of the chairman and associate members of the civil service boards of such counties and repealing all conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1841. Relating to all counties having populations of 10,660 or less according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as herein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Perloff, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1688. Relating to counties having a population of not less than 22,250 nor more than 23,000 inhabitants according to the most recent federal decennial census; to provide that no claim presented to the county commission need be sworn to and that no testimony need be presented as to whether any part of such claim has been previously paid.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Pearson, Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1711. To permit banks now or hereinafter situated in the City of Childersburg in Talladega County to establish, maintain and operate branch banks and branch offices within the limits of said city for the conduct of a general banking and trust business; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Pearson,

Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1824. To amend Section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243) entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," so as to provide for the taxation of diesel fuel when such fuel is to be used in an internal combustion engine for the purpose of propulsion of a vehicle on public roads, streets, highways, ferries or bridges.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1824, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1824

**A BILL
TO BE ENTITLED
AN ACT**

To amend section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243) entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for

the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," so as to provide for the taxation of diesel fuel when such fuel is to be used in an internal combustion engine for the purpose of propulsion of a vehicle on public roads, streets, highways or bridges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243), entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," is hereby amended to read as follows:

"Section 1. That the court of County Commissioners, Board of Revenue, County Commission, or other governing body of Tuscaloosa County, Alabama, shall, for the purpose of constructing and maintaining public roads, highways, streets, and bridges in Tuscaloosa County, Alabama, levy and collect a privilege tax of one cent per gallon on all gasoline, diesel fuel, naphtha and other liquid motor fuels or any device or substitutions therefor, commonly used in internal combustion engines sold or delivered, or taken for use from storage in said County, for the privilege of selling or delivering same for use in Tuscaloosa County; provided however, that nothing contained herein shall be held to apply to that product known as 'diesel fuel' when the same is used in an internal combustion engine for other than the propulsion of a motor vehicle on public roads, highways, streets, and bridges, nor shall anything contained herein be held to apply to those products known commercially as 'jet fuel', 'Kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating, or industrial purposes."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Shelby, said substitute was laid on the table.

Mr. Shelby offered the following substitute for the Bill, H. B. 1824, to-wit:

SUBSTITUTE FOR H. B. 1824

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243) entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," so as to provide for the taxation of diesel fuel when such fuel is to be used in an internal combustion engine for the purpose of propulsion of a vehicle on public roads, streets, ferries, highways or bridges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243), entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a

municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," is hereby amended to read as follows:

"Section 1. That the court of County Commissioners, Board of Revenue, County Commission, or other governing body of Tuscaloosa County, Alabama, shall, for the purpose of constructing and maintaining public roads, highways, streets, ferries, and bridges in Tuscaloosa County, Alabama, levy and collect a privilege tax of one cent per gallon on all gasoline, diesel fuel, naptha and other liquid motor fuels or any devise or substitutions therefor, commonly used in internal combustion engines sold or delivered, or taken for use from storage in said County, for the privilege of selling or delivering same for use in Tuscaloosa County; provided however, that nothing contained herein shall be held to apply to that product known as 'diesel fuel' when the same is used in an internal combustion engine for other than the propulsion of a motor vehicle on public roads, highways, streets, ferries and bridges, nor shall anything contained herein be held to apply to those products known commercially as 'jet fuel' when used in commercial airplanes, 'Kerosene oil', 'fuel oil', or 'crude oil', commonly used for lighting, heating, or industrial purposes."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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And said Bill, H. B. 1824, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. McMillan and Kinsey:

H. J. R. 351. MOURNING THE DEATH OF WILLIAM E. FRETWELL OF PERDIDO.

Also:

By Messrs. Kinsey and McMillan:

H. J. R. 352. MOURNING THE DEATH OF CECIL R. BLACKWELL OF BON SECOUR.

Also:

By Mr. Waggoner:

H. J. R. 354. MOURNING THE DEATH OF THE HONORABLE ORVILLE E. BRADDOCK, MAYOR OF HOOVER.

Also:

By Mrs. Quarles:

H. J. R. 359. MOURNING THE DEATH OF GERALD CARL SWANN.

Also:

By Mr. Holley:

H. J. R. 364. CONGRATULATING OUR FIRST LADY, MRS. CORNELIA WALLACE, ON THE HONORS THE CITIZENS OF ELBA BESTOWED UPON HER ON SEPTEMBER 12, 1975.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 351, 352, 354, 359 and 364, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Coburn:

H. J. R. 339. COMMENDING THE TUSCUMBIA SENIOR LEAGUE ALL STARS.

Also:

By Messrs. Turnham, Higginbotham, Baker and Smith (M):

H. J. R. 350. COMMENDING DEAN PIERCE FOR 20 YEARS AS DEAN OF EDUCATION AT AUBURN.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 339 and 350, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (C):

H. J. R. 390. COMMENDING THE CHILTON COUNTY RESCUE SQUAD UPON THEIR 20TH ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 390, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 138. WISHING GRACE THOMAS A SPEEDY RECOVERY.

WHEREAS, Mrs. Grace Thomas, lovely wife of Associate Press correspondent Rex Thomas, "Dean of the Capitol Press Corps," is currently hospitalized at Saint Margaret's Hospital in Montgomery; and

WHEREAS, it is the hope of the Legislature of Alabama that Mrs. Grace Thomas will be returned to good health very quickly; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do wish Mrs. Grace Thomas Godspeed in a speedy recovery of her health.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Grace Thomas.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

Messrs. McMillan, Gilmore, Pearson, Clemon, Vacca, Wilson and Ellis offered the following Senate Joint Resolution, to-wit:

S. J. R. 139. MOURNING THE DEATH OF MRS. NONA S. HILL.

WHEREAS, Mrs. Nona S. Hill, the mother of our esteemed friend, Dr. S. Richardson Hill, died on September 23, 1975, in Greensboro, North Carolina; and

WHEREAS, Mrs. Hill lived a full and fruitful life, and was an inspiration to her family and to her community; and

WHEREAS, She took particular and justifiable pride in the career of her son, the Vice President for Health Affairs, and Director of the Medical Center at UAB, as well as Director of the University of Alabama Systems Medical Education Program; and

WHEREAS, This body holds Dr. Hill in high regard, and grieves in his great loss; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we deeply mourn the death of Mrs. Nona S. Hill, and extend deepest sympathy to her son, Dr. S. Richardson Hill, and her sister, Mrs. Margaret Hagsdale, of Jamestown, North Carolina, to whom copies of this resolution will be sent.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Mr. Turnham:

H. J. R. 371. MOURNING THE DEATH OF PROFESSOR GEORGE WALTER HARGREAVES.

Also:

By Mr. Biddle:

H. J. R. 380. COMMENDING THE FULTONDALE HIGH SCHOOL BAND.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolutions, H. J. R.'s 371 and 380, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1842. Relating to all counties having populations of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; authorizing the county governing body to hire deputy sheriffs, subject to available county funding for such purposes.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1843. Relating to all counties having a population of not less than 10,900, nor more than 11,500 inhabitants according to the most recent federal decennial census; authorizing the governing bodies to establish within any such county or in any municipality located within any such county ambulance service on a non-profit basis; further authorizing any such county to join with any one or more municipality within the county in the establishment of such ambulance service; providing the manner and procedure for establishing the same; authorizing appropriations of public funds and charging certain fees for such service; and exempting from tort liability any such county and municipality while operating ambulances or providing ambulance service as authorized herein.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1845. To create a 12 member Board to serve as a County Wide Rural Sanitation Board, for Marshall County, Alabama to assist in obtaining sewage treatment and disposal facilities for said County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1851. Relating to all counties of not less than 22,000 population nor more than 22,500 population according to the most recent federal census, fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1852. Relating to Escambia County; to give the members of the county commission an additional monthly expense allowance.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1863. Relating to all counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; authorizing the taking of non-game fish by the use of wire mesh baskets, thread hoop nets, or wooden baskets, and prescribing a license tax therefor; and prescribing penalties for violations of the act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1875. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1876. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, and to provide an effective date.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Foshee, Givhan, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1898. Proposing an amendment to the constitution of Alabama relating to placing the probate judge, the tax assessor, the tax collector, and the circuit clerk of Washington County on a salary basis of compensation.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flipppo, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 809. Relating to Lauderdale County; authorizing the county commission to establish budgetary limits for the cost of operating all departments of county government and to fix and enforce policies, rules and regulations respecting holidays, vacations and sick leave for all county employees.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 811. To authorize the Lauderdale County Board of Education to set and establish sick leave and annual leave, and rules pertaining thereto for employees other than teachers so that said employees may, at the discretion of said County Board, participate in leave allowances the same as is provided teachers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1241. To repeal Act No. 208, H. 130, Third Sepcial Session of 1975, approved May 5, 1975, entitled "To apply only in counties having a population of not less than 90,000 nor more than 100,000, according to the most recent federal decennial census; to better secure the administration of the financial affairs of such counties by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws."

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

S. 1258. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, S. B. 1258, to-wit:

COMMITTEE AMENDMENT TO S. B. 1258

Amend S. B. 1258, page 2, line 4, by striking out, after the word "court", the words "receiving the legal fees therefor for his services." and inserting in lieu thereof the following words:

"the sheriff shall execute processes at the direction of said court."

Also, on page 2, line 16, by striking out, after the word "salary", the

words "the same as the Sheriff of Etowah County" and inserting in lieu thereof the following words and figures:

"of \$10,000"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, S. B. 1258, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

S. 1260. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the **corporate limits of said Town all territory now within such corporate limits** and also certain other territory contiguous thereto, in Randolph County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1348. To provide for supplementing the salaries or compensation paid to semi-retired or retired circuit judges in the 11th Judicial Circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1261. Relating to Colbert County; providing for the further and additional definitions of "Hospital" for the purpose of defining any "Hospital" operated or to be operated by any Corporation already incorporated or which may hereafter be incorporated in Colbert County, Alabama, under the provisions of Article 5, Title 22, Code of Alabama, and to provide for further and additional powers for any corporation already incorporated or which may be incorporated in Colbert County under the provisions of Article 5, Title 22, Code of Alabama, (1940) as amended and recompiled.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1835. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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The Bill:

H. 1916. Relating to Cullman County; to levy an excise and privilege tax on the severance of coal in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds on the tax for the paving of roads in Cullman County.

was taken up.

Mr. St. John offered the following amendment to the Bill, H. B. 1916, to-wit:

AMENDMENT TO H. B. 1916

Amend House Bill 1916, Section 1, Subsection (g) to read as follows: "Transporter" means any person transporting coal by highway vehicle from the place where it is severed or from any other place to any other place, within or without Cullman County."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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Mr. St. John then offered the following amendment to the Bill, H. B. 1916, as amended, to-wit:

AMENDMENT TO H. B. 1916, AS AMENDED

Amend House Bill 1916, Section 4, to read as follows:

"Section 4. Purchaser and transporter reports. Purchasers and transporters of coal severed in Cullman County shall file a report with the commissioner, on forms prescribed by the commissioner, within twenty (20) days after the end of each calendar month in which such purchaser or transporter purchased or transported by highway vehicle coal severed in Cullman County. The report shall state the names and addresses of all producers in Cullman County from whom such purchaser or transporter has received coal during such calendar month; the total quantity of coal so acquired; and, in the case of a transporter, to whom and where each ton of coal was delivered; and such other information as the commissioner may reasonably require for the proper enforcement of the provisions of this act. The report shall be signed by the purchaser or transporter himself in the case of an individual purchaser or transporter, or by a member, officer, or manager of the purchaser or transporter in all other cases."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1916, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flippo, Gilmore, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 711. Providing for the establishment of an Alabama Criminal Justice Information Center Commission in order to establish a statewide criminal justice information system; providing for the reporting of arrests and the disposition of persons charged by the state, county and municipal criminal justice agencies; providing for intra and interstate, as well as national and international cooperation with other criminal justice agencies; and providing penalties for violations of provisions of this Act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. St. John, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 711, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT NO. 1 TO SENATE BILL 711

Amend Senate Bill 711, Section 3, on page 3 of said bill, line 20 by inserting after the word "Court," the words and punctuation as follows:

the President of the Alabama Association of Intermediate Court Judges, the President of the Circuit Judges' Association,

Further amend Senate Bill 711, Section 3, on page 3 lines 25 and 26, by striking the word where it last appears on line 25 and striking the words where same appear on said line 26.

HOUSE AMENDMENT NUMBER 2 TO SENATE BILL 711

Amend Senate Bill 711, Section 28, on page 12 of said bill, lines 25 through 29, by striking said section in its entirety and inserting in lieu thereof the following:

Section 28. The Administrator of the Department of Court Management or chief administrative officer of any other entity that is charged with the compilation of information and statistics pertaining to the disposition of criminal cases shall report such disposition to the ACJIC within a reasonable time after formal rendition of judgment as prescribed by the Commission.

HOUSE AMENDMENT NUMBER 3 TO SENATE BILL 711

Amend Senate Bill 711, Section 3, page 3 of said bill, on line 21, by deleting the period following the word "Safety" and inserting in lieu thereof a comma and adding the following words and punctuation:

and the Director of the Data Systems Management division of the Alabama Department of Finance.

Further amend Senate Bill 711, Section 3, page 3 of said bill, on line 20 by deleting the word and where said word appears on line 20.

HOUSE AMENDMENT NUMBER 4 TO SENATE BILL 711

Amend Senate Bill 711, Section 3, page 3 of said bill on lines 27 and 28 by striking the words the Director of the Data Systems-Management Division of the Alabama Department of Finance,.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Perry, Powell, Roberts, St. John, Shelby, Torbert.

— 22

Nays:

— 0

THIRD READINGS RESUMED

The Bill:

H. 203. To provide for the appointment of assistant district attorneys in the Thirteenth Judicial Circuit and for a graduated schedule of compensation for assistant district attorneys in the Thirteenth Judicial Circuit and to repeal Code of Alabama 1940, Title 13, Section 254 and all amendments thereto.

was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, H. B. 203, to-wit:

COMMITTEE AMENDMENT TO H. B. 203

Amend H. B. 203, page 1, line 23, by deleting "ten" and inserting in lieu thereof "eight".

Further amend H. B. 203, page 1, line 33, by deleting "three" and inserting in lieu thereof "two".

Further amend H. B. 203, page 1, line 36, by deleting "three" and inserting in lieu thereof "two".

Further amend H. B. 203, page 2, line 17, by deleting "three (3)" and inserting in lieu thereof "two (2)".

Further amend H. B. 203, page 2, line 21, by deleting "three (3)" and inserting in lieu thereof "two (2)".

Further amend H. B. 203, page 2, line 26, by deleting "ten (10)" and inserting in lieu thereof "eight (8)".

Further amend H. B. 203, page 2, line 32, by deleting "ten (10)" and inserting in lieu thereof "eight (8)".

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop.

—24

Nays:

—0

Mr. Roberts offered the following amendment to the Bill, H. B. 203, as amended, to-wit:

AMENDMENT TO H. B. 203, AS AMENDED

Amend House Bill No. 203, Page 2 Line 33, by striking out after the word "by", "Mobile County" and inserting the following: Counties consisting of the thirteenth Judicial Circuit"

line 3, page 4 after the word "of" strike "Mobile County" and insert "the thirteenth Judicial Circuit"

line 5 page 4 after the word "by" strike "Mobile County" and insert "these counties".

line 9 page 4 after the word "said" strike the word "County" and insert the word "Counties".

Which was adopted.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims,

Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—27

Nays:

—0

And said Bill, H. B. 203, as thus amended, was then read a third time at length and passed.

Yeas 30; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—30

Nay: Mr. Baker.

—1

The Bill:

H. 603. To provide adequate professional, administrative, and clerical personnel, together with necessary equipment and funding for the Office of the District Attorney for the Fifteenth Judicial Circuit.

Was read a third time at length and passed.

Yeas 23; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Foshee, Gilmore, Jones, Littleton, McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—23

Nay: Mr. Baker.

—1

The Bill:

H. 1728. Relating to the Seventh Judicial Circuit; to authorize the district attorney to appoint two deputy district attorneys and one clerk-secretary; to fix their salaries and to provide for the payment thereof; and to provide further for the compensation of the investigator for the circuit.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop.

—26

Nays:

—0

The Bill:

H. 76. Relating to taxation, to provide for an exemption from ad valorem taxation on personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

Was read a third time at length and passed.

Yeas 26; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, St. John, Torbert, Vacca, Waldrop, Wilson.

—26

Nays:

—0

The Bill:

H. 1426. To name a classroom building housing Technical Drafting, Watch Repair, Cosmetology, and other subjects on the campus of John C. Calhoun State Community College the Noble J. Russell Building.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—27

Nays:

—0

The Bill:

H. 1493. To name the new Cahaba River Bridge in Perry County the Walter C. Givhan Bridge.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—28

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and as amended has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 98. Relative to a joint legislative committee to study the feasibility of a state-wide group comprised of state employees and educators for hospital-medical insurance.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mitchell, the Senate concurred in and adopted the following House amendment to the Resolution, S. J. R. 98, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. J. R. 98

S. J. R. 98. A JOINT LEGISLATIVE COMMITTEE TO STUDY THE FEASIBILITY OF A STATE-WIDE GROUP COMPRISED OF STATE EMPLOYEES AND EDUCATORS FOR HOSPITAL-MEDICAL INSURANCE.

WHEREAS, the State of Alabama currently appropriates a large sum of money for hospital-medical insurance benefits for state employees and educators, and

WHEREAS, it may be more economical to form a single group and provide similar or better hospital-medical insurance benefits; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that a Joint Legislative Committee consisting of four House members appointed by the Speaker of the House, one of whom shall be the Chairman of the House Insurance Committee, and four members of the Senate appointed by the President of the Senate, one of whom shall be the Chairman of the Senate Insurance Committee, be appointed to study the feasibility of establishing a group consisting of state employees and educators for the purpose of purchasing hospital-medical insurance program(s) for the members of the group. This Joint Interim Legislative Committee shall elect a Chairman and a Vice Chairman from among the members appointed to the Committee.

BE IT FURTHER RESOLVED, that this committee will be paid per diem salary and expenses as in a session of the legislature and may employ such clerical and technical assistants as they deem necessary. The funds shall be paid from the regular Legislative Appropriation as provided in Title 32, Section 13, Code of Alabama, 1940.

BE IT FURTHER RESOLVED, that this committee shall report by the first legislative day of the 1976 Regular Legislative Session.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1230. To name the bridge across the Pea River on County Road 77 between Pike and Barbour Counties the Samuel Kirke Adams Bridge.

Was read a third time at length and passed.

Yeas 28; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—28

Nays:

—0

The Bill:

H. 1285. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

was taken up.

Mr. Stewart offered the following amendment to the Bill, H. B. 1285, to-wit:

AMENDMENT TO HOUSE BILL 1285

Amend House Bill 1285 by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. That the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama, be and the same are hereby extended, altered, and rearranged so as to include within the corporate limits of said Town all of the following described territory:

The East Half ($E\frac{1}{2}$) of the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) and the East Half of the Southeast Quarter ($E\frac{1}{2}$ of $SE\frac{1}{4}$) of Section 20; All of Section 21: The West Half ($W\frac{1}{2}$) of Section 22: The West Half of the Southwest quarter of the Southwest Quarter ($W\frac{1}{2}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 25 north of the southerly right of way of U. S. Highway 78. The South Half of the South Half of the Southeast Quarter ($S\frac{1}{2}$ of $S\frac{1}{2}$ of $SE\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2}$ of $SW\frac{1}{4}$) north of the southerly right of way of U. S. Highway 78 and the West Half of the Southwest Quarter of the Southwest Quarter ($W\frac{1}{2}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) and the West Half of the East Half of the Southwest Quarter of the Southwest Quarter ($W\frac{1}{2}$ of $E\frac{1}{2}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 26: The West Half ($W\frac{1}{2}$) and the Northeast Quarter ($NE\frac{1}{4}$) and the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}$ of $SE\frac{1}{4}$) and the West Half of the Northeast Quarter of the Southeast Quarter ($W\frac{1}{2}$ of $NE\frac{1}{4}$ of $SE\frac{1}{4}$) and the Southwest Quarter of the Southeast Quarter north of the southerly right of way of U. S. Highway 78 ($SW\frac{1}{4}$ of $SE\frac{1}{4}$) and the East Half of the East Half of the Southwest Quarter of the Southwest Quarter of the Southeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of $SE\frac{1}{4}$) and the West Half of the West Half of the Southeast Quarter of the Southwest Quarter of the

Southeast Quarter ($W\frac{1}{2}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of $SE\frac{1}{4}$) and the East Half of the East Half of the East Half of the Southwest Quarter of the Southeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $E\frac{1}{2}$ of $SW\frac{1}{4}$ of $SE\frac{1}{4}$) and the West Half of the West Half of the West Half of the Southeast Quarter of the Southeast Quarter ($W\frac{1}{2}$ of $W\frac{1}{2}$ of $W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SE\frac{1}{4}$) and the West Half of the Southeast Quarter of the Southeast Quarter south of the northerly right of way of U. S. Highway 78 ($W\frac{1}{2}$ of $SE\frac{1}{4}$ of $SE\frac{1}{4}$) and the East Half of the Southeast Quarter of the Southeast Quarter south of the southerly right of way of U. S. Highway 78 ($E\frac{1}{2}$ of $SE\frac{1}{4}$ of $SE\frac{1}{4}$) in Section 27: All of Section 28: The portions of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$), and a fraction "A" of Section 32 that are Eastwardly of the Westerly right of way line of the old Talladega-Lincoln Highway (1928-1938) and Northerly of U. S. Interstate 20 Highway right of way and all portions of the Southeast Quarter of Section 32 that is Southward of the Northerly right of way of U. S. Interstate 20. All of Section 33: The West Half ($W\frac{1}{2}$) and the South Half of the South Half of the Northeast Quarter ($S\frac{1}{2}$ of $S\frac{1}{2}$ of $NE\frac{1}{4}$) and the Northwest Half of the Southwest Quarter of the Southeast Quarter ($NW\frac{1}{2}$ of $SW\frac{1}{4}$ of $SE\frac{1}{4}$) and the North Half of the Southeast Quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$) of Section 34: The North Half of the Northeast Quarter of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$ of $NE\frac{1}{4}$) and the North Half of the Northwest Quarter ($N\frac{1}{2}$ of $NW\frac{1}{4}$) that is northward of the Southerly route of U. S. Highway 78 and the East Half of the North Half of the Northwest Quarter of the Northeast Quarter ($E\frac{1}{2}$ of $N\frac{1}{2}$ of $NW\frac{1}{4}$ of $NE\frac{1}{4}$) of Section 35: The West Half of the West Half of the West Half of the Northwest Quarter ($W\frac{1}{2}$ of $W\frac{1}{2}$ of $W\frac{1}{2}$ of $NW\frac{1}{4}$) of Section 36: All in Township 16 South, Range 5 East. Also the North Half ($N\frac{1}{2}$), and North Half of the Southwest Quarter ($N\frac{1}{2}$ of $SW\frac{1}{4}$) and Alabama Highway 77 in Section 4: The North Half of the Northeast Quarter ($N\frac{1}{2}$ of $NE\frac{1}{4}$) and the North Half of the South Half of the Northeast Quarter ($N\frac{1}{2}$ of $S\frac{1}{2}$ of $NE\frac{1}{4}$) and the East Half of the East Half of the South Half of the Southeast Quarter of the Northeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $S\frac{1}{2}$ of $SE\frac{1}{4}$ of $NE\frac{1}{4}$) and the East Half of the East Half of the Northeast Quarter of the Southeast Quarter ($E\frac{1}{2}$ of $E\frac{1}{2}$ of $NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 5. All in Township 16 South, Range 5 East."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1285, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson,

Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 902. To name the new student union building at Livingston University "The George C. Wallace Union Building."

Was read a third time at length and passed.

Yeas 27; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—27

Nay: Mr. Fine.

—1

BILL RE-REFERRED

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee, in session, had acted on the Bill, H. B. 1457, and ordered same returned to the Senate with the recommendation that said Bill be re-referred to the Standing Committee on Finance and Taxation.

And the President and Presiding Officer of the Senate ordered said Bill, H. B. 1457, re-referred to the Standing Committee on Finance and Taxation.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1568. To amend Subsections D and K of Section 186, Section 191, Section 194, Subsection C of Section 201, Section 204, Section 207, Subsections D and E of Section 213, Subsections B and C of Section 214, Subsection D of Section 216, Subsection C of Section 218, and Subsections B and C of Section 224, Title 26, Chapter 4, Code of Alabama 1940, as last amended.

was taken up.

On motion of Mr. Wilson, consideration of the Bill, H. B. 1568, was postponed temporarily.

RECESS

At 12:35 P.M., on motion of Mr. Wilson, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION
THIRTY-FOURTH LEGISLATIVE DAY
TUESDAY, SEPTEMBER 30, 1975

The Senate re-assembled at 2 o'clock P.M. in the Senate Chamber and was called to order by Lieutenant Governor Beasley.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

FURTHER CONSIDERATION OF H. B. 1568

The Senate proceeded to further consideration of the Bill, H. B. 1568.

And said Bill, H. B. 1568, was then read a third time at length and passed.

Yeas 31; Nays 1.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—31

Nay: Mr. Fine.

—1

REPORT OF
COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, had compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolution respectively, and finds same correctly enrolled, to-wit:

S. 707. To amend Section 3.04 and 4.03 of Act No. 618, Acts of Alabama 1973, page 879, relating to the Mayor-Council form of government in cities with a population of not less than 70,000 nor more than 135,000, so as to require council members to reside in the district which they represent, and to require the mayor to be a full time official who shall not draw any other compensation from any source other than disability compensation or a retirement pension.

Also:

S. 190. To repeal Section 6 of Title 2 of the Code of Alabama of 1940 which prohibits the buying, selling or other trading in, and the movement

or transportation, of certain farm products after the hour of sunset and before the hour of sunrise.

Also:

S. 192. To amend Sections 3, 6 and 7 of Act No. 424, H. 413, Legislature of 1963, Regular Session, approved September 2, 1963 (Acts of 1963, Vol. 2, p. 931), as amended, an Act to regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds, etc.; to amend Section 3 of said Act No. 424 to prescribe the time of the test to determine the percentage of germination for agricultural and vegetable seed sold or offered for sale or distributed in hermetically sealed containers; to amend Section 6 of said Act No. 424 to require invoices of certain sales of seed sold at retail to be furnished to the buyer and that a record thereof with certain information thereon be kept by the seller; and to amend Section 7 of said Act No. 424 to authorize the adoption of rules and regulations governing the sale of seed that are subject to the provisions of the "Plant Variety Protection Act" of the Congress of the United States.

Also:

S. 446. To amend Act 404, Acts of Alabama, Regular Session, 1945, page 643, to provide that an association or associations of farmers engaged in multiplying and certifying seed or plant parts of a superior variety or strain and in increasing breeder seed by producing, processing and distributing foundation seed, may adopt symbols for such seed and register them with the Commissioner of Agriculture and Industries; to make it unlawful for any person, firm, association or corporation to sell, offer for sale, or otherwise distribute or market foundation seed for any one specified crop, other than the association which registered the symbol or symbols thereof with the State Commissioner of Agriculture and Industries; to authorize and direct the Department of Agriculture and Industries, the Alabama Cooperative extension Service, and the Alabama Agricultural Experiment Station, to cooperate and coordinate with such associations of farmers to implement and conduct a seed improvement program, and to conduct educational programs stressing the benefits of the use of superior seed varieties.

Also:

S. 701. To further amend, and to revise and re-enact Title 22, Chapter 2, of the Code of Alabama of 1940 to provide further and more adequately for the protection against rabies.

Also:

S. J. R. 137. Mourning the death of D. C. ("Deacon") Grey.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, and Senate Joint Resolution, the titles of which are set out in the foregoing report from the Committee on Rules.

RESOLUTION

Mr. McDonald (A) offered the following Senate Joint Resolution, to-wit:

S. J. R. 144. ACCEPTING TRANSFER OF ATHENS COLLEGE TO THE STATE OF ALABAMA.

WHEREAS Athens College has been accepted by the State Board of Education without expense and free of debt to the State of Alabama for incorporation into the state's system of higher education, conditional upon the appropriation of operational funds by the Legislature of the State of Alabama; and

WHEREAS the acquisition of this lovely campus and fine academic institution so rich in tradition will prove to be a great addition to state supported higher education in Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the consensus of this body that Athens College be accepted by the State Board of Education without condition with assurance that it is the intent of this body to provide funds for future operation of Athens College.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1857. Relating to all counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; providing for service of process in civil cases by registered mail.

Also:

H. 1826. Relating to counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; providing additional compensation for official court reports of the circuit courts in such counties.

Also:

H. 1828. Relating to Butler County; to provide salaries for certain county officers including an annual salary adjustment based on the cost of living index; and to provide that the county commission has the authority for providing and fixing the salaries of the employees of the county officers affected by this Act.

Also:

H. 1860. Relating to counties having a population of not less than 16,245 nor more than 16,300 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

H. 1861. Relating to counties having a population of not less than 14,000 nor more than 15,000 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

H. 376. Relating to Mobile County; to provide that any monies in the general fund of Mobile County may be used by the County governing body to pay the doctor, medical, hospital bills and any expenses required for rehabilitative purposes of any County employee who is injured in the line of duty; and to make provisions of this Act retroactive to January 1, 1973.

Also:

H. 229. To provide that in every county having a population of not less than 300,000 nor more than 500,000 inhabitants according to the last or any succeeding census, the county governing body of the county is authorized to pay a monthly pension to any public law librarian upon retirement, and the chief circuit judge of the judicial circuit comprising such county is authorized to pay an additional monthly pension from any law library fund to such law librarian upon such retirement; and to prescribe the terms and conditions of such retirement and such pensions.

Also:

H. 360. To further regulate the fees and allowances in criminal cases of sheriffs in all counties having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent or any subsequent Federal decennial census.

Also:

H. 364. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint an administrative assistant, to provide for the appointment for such administrative assistant, the term of office of such administrative assistant, to provide for the salary of such administrative assistant, and the method of payment of such salary.

Also:

H. 365. To regulate further the fees of sheriffs in all counties of this State having populations of not less than 300,000 and not more than 500,000 according to the most recent federal decennial census.

Also:

H. 366. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a secretary, to provide for the appointment of such secretary, the term of office of such secretary, to provide for the salary of such secretary, and the method of payment of such secretary.

Also:

H. 378. To fix the compensation or salary of the Clerk of the Circuit Court in all counties of Alabama having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Also:

H. 1720. Relating to all counties having populations of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

H. 1664. To provide that any city of the state having a population of more than 41,000 and less than 45,000 inhabitants according to the most recent federal decennial census shall have authority, after notice is provided, to remove or demolish buildings and structures, parts of buildings and structures, party walls and foundations when the same are found by the governing body of such city to be unsafe to the extent of being a public nuisance; to provide for a hearing by the governing body if requested; to authorize that the cost of such demolition shall constitute a special assessment against the lot or lots, parcel or parcels whereon the building or structure was located and that such assessment shall constitute a lien on said property; and to provide a method of collecting such assessments.

Also:

H. 1670. Relating to counties having a population of not less than 300,000 nor more than 600,000 inhabitants; authorizing the judge of probate, or other officer charged with issuing motor vehicle license plates, to issue certain plates for use on certain emergency search and rescue vehicles without charge; prescribing the color and prefix for such plates and repealing all conflicting statutes.

Also:

H. 1703. To amend Act No. 2182, H. 2753 Regular Session 1971 (Acts 1971, 3489) entitled An Act to provide for the City of Jacksonville in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws, so as to increase the pay of members of the Board, and to increase the authorized expenditure of the municipality for the operation of the board, and further limit the officers and employees to which the act shall not apply.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing

bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 920. To provide for additional expense allowances for certain public officials in Washington County.

Also:

H. 979. Relating to the third judicial circuit; authorizing the district attorney to appoint an additional secretarial assistant and providing for the compensation of such secretary.

Also:

H. 1064. To create the office of license commissioner in Houston County; to provide for his appointment and future election; to fix his compensation and allowance, prescribe his duties, define his powers and provide for the operation of his office.

Also:

H. 1735. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

Also:

H. 1321. To apply to every county of the State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county may provide by ordinance for taking possession of, storing and selling any abandoned, stolen or contraband property found in the county; to provide that any such ordinance may prescribe the conditions on which such property may be taken into possession, stored and sold; and to provide what other provisions any such ordinance shall contain.

Also:

H. 1322. To apply to every county of this State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county shall be authorized to provide an auxiliary courtroom for any inferior court established in the county if public need and public interest so require and to discontinue any such auxiliary courtroom the maintenance of which public need and public interest do not require.

Also:

H. 1660. Relating to counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census; to allow for the lawful dispensing by any food-service establishment of sugar in containers other than individual, single service packages.

Also:

H. 1675. Relating to law enforcement in Monroe County; fixing the fee for the issuance of pistol permits; and prescribing the use of such fees.

Also:

H. 1676. Relating to Monroe County; to provide for the mailing addresses of the grantors and grantees, on all conveyances of real property; to become effective six months from the date this act becomes law.

Also:

H. 1677. Relating to Monroe County; to authorize the tax assessor to hire clerical employees; to provide a clerk hire allowance for the tax assessor and to repeal Act No. 1831, H. 2480, Regular Session of the Legislature 1971 (Acts 1971, p. 2996), and other conflicting laws.

Also:

H. 1678. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Walnut Grove, in Etowah County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 589. To require the members of the board of registrars in all counties having populations of not less than 300,000 nor more than 600,000 according to the most recent or any subsequent decennial census to be available at the city hall of each incorporated municipality for the purpose of voter registration and voter reidentification, once each 6 months, and to be available at certain unincorporated areas in the county once each 6 months at the request of the House of Representatives member who represents such area with the concurrence of the Senate member who represents such area.

Also:

H. 209. Relating to Judicial Circuits composed of one county and

having not less than six or more than nine Circuit Judges; to provide for the appointment in said circuits of two investigators to prescribe their authority and powers and prescribe their compensation.

Also:

H. 1189. To create the office of supernumerary sheriff for Blount County, Alabama and to prescribe the qualifications, duties, appointment, elections and salary of such office.

Also:

H. 377. To provide retirement benefits for elected officials in any municipality in the State of Alabama having a population, according to the most recent Federal census, between 175,000 and 225,000 persons, and to provide for the payment of such benefits.

Also:

H. 1466. To provide for the creation, incorporation, organization, operation, administration, and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, supplying water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services; and the guarding and protection of lives and property; to provide for the fixing, levy and collection of taxes, rates, fees and charges for such services, to constitute such taxes, fees and charges a debt of and claim against those owning property or residing within the District and a lien upon the property in the District; to provide penalties for non-payment; and to provide for the borrowing of money and the issuance of bonds or other obligations by or on behalf of such districts.

Also:

H. 1121. To amend further Act No. 263, S. 222, Special Session 1961 (Acts 1961, p. 2280), relating to the compensation of election officers in counties having populations of not less than 300,000 nor more than 500,000.

Also:

H. 450. Relating to Jackson County, providing for a salary for the chairman of the county governing body and providing for a monthly expense allowance for the chairman and members of said county governing body.

Also:

H. 824. Relating to counties having populations of not less than 150,000 nor more than 180,000 inhabitants according to the most recent federal decennial census, to provide for the payment of benefits to the employees of any such county who are totally disabled as the result of injuries received in the performance of their official duties and to the surviving dependents of employees of such counties who are killed in the performance of their official duties, and repealing all conflicting laws.

Also:

H. 1680. Relating to Blount County; to provide the county commissioners power to authorize county personnel to open graves for interment, repair and maintain existing roads, build roads, and other labor

related thereto, in all private or public cemeteries, including any cemetery authority owned, governed, controlled, or operated by: any church or religious society or denomination, religious corporation, church, or corporation sole.

Also:

H. 1681. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Snead, in Blount County.

Also:

H. 1683. To authorize and direct the Board of Education of Dale County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Also:

H. 1687. Relating to Henry County; to provide for the total rehabilitation of certain persons, both male and female, convicted of any type crime and sentenced to a term of confinement in the county jail of such county.

Also:

H. 1278. Relating to Lawrence County; to provide that a certain percentage of the proceeds accruing to the Alabama Department of Aeronautics from any rental or lease agreement covering certain lands in said county shall be deposited to the Lawrence County general fund; requiring all such leases to be let on a competitive bid basis.

Also:

H. 1722. Relating to cities having a population of not less than 9,200 nor more than 9,400 inhabitants according to the most recent federal decennial census; to provide retirement allowances for elected officials in such cities and to provide for the payment of such allowances.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1532. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census to authorize the county commission to design, accept designs, and adopt an official county flag; to expend funds necessary for the making and designing an official flag of said county.

Also:

H. 1533. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide a clerical assistant to the tax collector.

Also:

H. 1535. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional expense allowance for the county commission.

Also:

H. 1563. To extend, alter and rearrange the boundaries and corporate limits of the Town of Killen so as to annex certain adjacent territory to the Town of Killen.

Also:

H. 1580. Relating to Cullman County; to provide that the sheriff's department shall be authorized to employ an additional investigator and two additional deputies; to provide for their compensation and to provide an additional squad car for the sheriff's office.

Also:

H. 1581. Relating to Cullman County; to reimburse the office of the tax collector for any monetary loss resulting in the performance of official duties from errors or mistakes, made in good faith, and upon proper certification by the state auditor, not to exceed a maximum of fifteen hundred dollars per annum; making the provisions herein retroactive to October 1, 1972.

Also:

H. 1597. To provide that the Madison County Commission may employ a legislative aid to assist the Madison County Delegation to the Legislature of the State.

Also:

H. 1619. To provide for the election of members of the county board of education of Chambers County, Alabama; to define the school districts from which the members of the county board of education are elected.

Also:

H. 1627. To amend Act No. 716, H. 1486, 1973 Regular Session (Acts of 1973, p. 1071), entitled, "An Act Relating to the twenty-seventh judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for an additional secretarial assistant for the office of district attorney of said judicial circuit," so as to provide for an additional secretarial assistant and to effect changes in the salary of the investigator and the assistants.

Also:

H. 1636. To alter or rearrange the boundary lines of the Town of Lowndesboro, Lowndes County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits

and also certain other territory contiguous thereto, in Lowndesboro, Alabama.

Also:

H. 1667. Relating to the coroner's office in all counties having populations of not less than 65,500 nor more than 75,200 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

Also:

H. 1668. To provide for branch banking in Winston County.

Also:

H. 1673. Relating to Monroe County; to authorize the tax collector to hire clerical employees; to provide a clerk hire allowance for the tax collector and to repeal Act No. 1828, H. 2477, Regular Session of the Legislature 1971 (Acts 1971, p. 2995), and other conflicting laws.

Also:

H. 1671. Relating to the Fifteenth Judicial Circuit of Montgomery County, to provide additional compensation or salary for the official court reporters; providing for the payment thereof from the county general fund and providing for a fee as part of cost for reporting a case.

Also:

H. 1674. Relating to Monroe County; to authorize the Sheriff to mail subpoenas for jury duty and notices of appointment to election officials with first class postage and to authorize the county commission to make expenditures from the county general fund for such purpose.

Also:

H. 995. To propose an amendment to the Constitution of Alabama to authorize the legislature to provide for the levy and collection of a one mill ad valorem tax in Mobile County for the purpose of controlling mosquitoes, rodents and other vectors of public health and welfare significance.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed by a two-thirds vote of a quorum of the Senate present, and immediately after the titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1741. Amending Section 1 of Act No. 567, H. 1518 of the Regular Session of 1973 (Acts 1973, page, 824) entitled An Act Relating to all counties having a population of not less than 26,725 nor more than 27,250; regulating the fees applicable to certain services rendered by the circuit court in equity of said counties, so as to increase the fees and charges set out therein.

Also:

H. 1747. To extend the boundaries of the City of Albertville in Marshall County.

Also:

H. 1748. To authorize the Board of Education of the City of Huntsville in Madison County to operate, either directly or by contract, a public transit system for the purpose of transporting pupils to and from the public schools of said city, to authorize a fare to be charged by said Board to students riding said public transit system calculated to yield to the Board the difference in public funds received by the Board for transportation and the cost of said service to the Board; to provide that the provisions of this act are severable; to repeal all laws or parts of laws in conflict herewith; and to provide for the effective date of this act.

Also:

H. 1754. Relating to all counties having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census; conferring additional powers on the circuit clerk and register.

Also:

H. 1755. To amend further Section 1 of Act No. 836, H. 1103, Regular Session 1969 (Acts of 1969, p. 1541), which provides an allowance for the employment of additional clerical assistance by the tax assessor and tax collector in each county having populations of not less than 12,700 nor more than 13,100 according to the most recent federal decennial census.

Also:

H. 1763. Relating to counties having populations of not less than 33,550 nor more than 34,000 inhabitants according to the most recent federal decennial census; to provide for an expense allowance for the probate judge of such counties.

Also:

H. 1774. Relating to counties having a population of not less than 24,900 nor more than 25,150 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for members of the county commission.

Also:

H. 1775. Relating to counties with populations of not less than 38,100 nor more than 40,500 inhabitants according to the most recent federal decennial census; providing for an additional expense allowance for county judges of such counties, payable from the county general fund.

Also:

H. 1779. Relating to Elmore County; to amend Section 4 of Act No. 997, H. 1177, Regular Session 1971 (Acts 1971, Vol. III, p. 1811), to further provide for the use of funds derived from the sale of pistol permits.

Also:

H. 1780. Relating to Elmore County; relieving the board of registrars of such county from the duty of visiting precincts or voting places in the performance of their duties and prescribing certain other meeting places in lieu thereof.

Also:

H. 1781. Relating to Elmore County; to provide further for expense allowances for members of the Elmore County Board of Registrars.

Also:

H. 1787. Relating to counties with populations of not less than 16,700 nor more than 18,000 inhabitants according to the most recent federal decennial census; to authorize the county commission or other like county governing body of such counties to pay the salary of one clerk for each of the following county officers: probate judge, sheriff, tax collector, tax assessor and circuit clerk; such clerks to be appointed for a term and paid an amount established by the said county commission.

Also:

H. 1791. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

H. 1792. To amend the title and Section 1 of Act No. 792, H. 924, 1969 (Acts of 1969, p. 1423) so as to provide a salary for the Lauderdale County board of registrars of \$25 per diem and to increase the hours which the place for registration shall be open.

Also:

H. 1793. Relating to Lauderdale County; to authorize the state highway department to use county road funds to maintain public cemetery roads.

Also:

H. 1794. To empower the county commission of Lauderdale County to authorize any local bank to sell automobile license tags for the county, between the dates of October 1 and November 15 of each year.

Also:

H. 1796. Relating to all counties having a population of not less than 90,000 nor more than 100,000 inhabitants according to the most recent federal decennial census; to provide that the county commission or other like governing body of such counties shall authorize the payment of a certain conditional supplement to the county judge's salary; and to repeal all conflicting statutes.

Also:

H. 1561. To apply in all counties having populations of not less than 35,000 nor more than 38,000, according to the most recent Federal decennial census, to exempt any public water system from the payment of all state, county and municipal sales and use taxes.

Also:

H. 1736. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1149. Relating to Geneva County; to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners.

Also:

H. 1162. To further amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, as amended, to provide for an increase in funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a County Health Department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 1164. To further amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as amended, to provide for an increase in funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 1201. To provide that when any physician, dentist, nurse, member of any organized rescue squad, or member of any police or fire department in any county of a population of 170,000 to 300,000 or in any city or town located in any county of a population of 170,000 to 300,000; any Alabama-licensed emergency medical technician, medical student, intern or resident practicing in a hospital in any county of a population of 170,000 to 300,000, with a training program approved by the American Medical Association; any employee of any public hospital corporation authorized to operate and operating an emergency ambulance service under the provisions of Act 2137, 1971 Legislature of Alabama, as amended; or any owner or employee of any licensee, franchisee, or contractor of any public hospital corporation in any county of a population of 170,000 to 300,000 gratuitously and in good faith renders first aid or emergency care to persons injured, or gives advice to anyone rendering aid or emergency care to persons injured, he shall not be liable for civil damages as a result of the acts or omissions resulting from said emergency care.

Also:

H. 1200. To amend Section 3 of Act No. 2137 (H. 2624), approved October 1, 1971, entitled: "An Act relating to counties having a population of not less than 170,000 nor more than 300,000, according to the 1970 or any subsequent Federal Decennial Census; authorizing public hospital corporations organized under the laws of the State of Alabama heretofore or hereafter enacted, with the consent of the governing bodies of said counties and of the largest municipality within said counties to operate a service for the purpose of providing emergency aid, treatment, and emergency transportation for hire to the sick and injured within the counties; providing that such services as are established under the provisions of this act shall be managed, regulated, and controlled by said public hospital corporations; providing that said services may be provided by contract with public or private agencies; authorizing the setting of rates for said services; authorizing the county governing bodies within said population class, and the governing bodies of each municipality within said counties to operate all or any portion of any such service under contract with any such public hospital corporation establishing such service; providing that neither a public hospital corporation as herein described, or any licensee or contractor of said hospital corporation shall use the streets, avenues, alleys or public places of any city or town as contemplated by Section 230 of the Constitution of Alabama, without first obtaining the consent of the proper authorities of such city or town; and repealing all laws or parts of laws in conflict therewith."

Also:

H. 1264. Relating to Madison County; to amend Act No. 120, H. 599, of the 1973 Regular Session; to authorize the governing body of said county to expend funds to reimburse the Tax Assessor for travel performed in the county in connection with the duties of that office.

Also:

H. 1279. To authorize the County Commission of Mobile County to make appropriations for the support and operation of a nonprofit organization to provide services to and for the benefit of the citizens of Mobile County.

Also:

H. 1299. To amend Act 618 of the Regular Session of 1973 to provide further concerning the power of the council.

Also:

H. 1301. To amend Act 618 of the Regular Session of 1973 to provide further concerning the powers and duties of the mayor.

Also:

H. 1382. Relating to counties having a population not less than 115,000 nor greater than 150,000, according to the latest federal decennial census; providing that the sheriff in such counties shall receive \$350 per month expense allowance, to become salary at the end of the present incumbent's term of office.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1797. Relating to Blount County; to provide further for the compensation of the judge of the Law and Equity Court of Blount County.

Also:

H. 1799. Relating to all counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; providing that the county governing bodies of such counties may appoint a deputy warrant clerk who shall be authorized under certain conditions to take affidavits and complaints, issue warrants of arrest in misdemeanor and felony cases and issue search warrants; permitting compensation therefor to be paid out of the general fund of the county treasury.

Also:

H. 1801. To provide that the Planning Commission of the City of Huntsville, Alabama, created pursuant to Title 37, Section 788, 1940 Code of Alabama, shall consist of twelve (12) members, as herein provided; to provide that adoption or amendment of any plan shall be carried by the affirmative votes of not less than eight (8) members; to provide that six (6) members of the Commission shall constitute a quorum; and to provide that the approval of any subdivision, and the passage of any question before the Commission, other than the adoption or amendment of any plan, shall be carried by a majority vote of those members present.

Also:

H. 1868. To amend further Act No. 68, H. 92, First Special Session 1956, an act fixing the compensation of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 10,660 nor more than 10,900 according to the most recent federal decennial census.

Also:

H. 1800. Relating to Marshall County; requiring the board of registrars to hold voter registration meetings at each high school and college in the county twice a year; and to relieve them of the duty of visiting each precinct.

Also:

H. 1803. To regulate and control the operation and licensing of massage parlors within Cleburne county; and providing penalties for violation.

Also:

H. 1818. Relating to Morgan County, to alter, rearrange and extend the boundary lines and corporate limits of the Town of Falkville.

Also:

H. 1819. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to appropriate not more than 1¢ per person according to the 1970 federal decennial census for celebrating the bicentennial observance during the fiscal year 1975-76.

Also:

H. 1469. To propose an amendment to the Constitution of Alabama which, if approved by the electors of Shelby County, would authorize the Legislature, by general or local law, to provide for the creation, incorporation, organization, operation, administration and financing of one or more local districts within Shelby County as public corporations to provide local public services, including the fighting and prevention of fires, furnishing water, the collection, treatment and disposal of sewage and/or garbage, trash and solid wastes, the operation of emergency medical services, including rescue and ambulance services, and the guarding and protection of lives and property; to provide for the fixing, levy and collection by such districts of rates, fees and charges for such services, penalties for non-payment and liens upon the property within such district; and to provide for the borrowing of money and the issuance of bonds and other obligations by or on behalf of such districts; and to ratify and confirm any such law enacted by the Legislature at or after its present session but prior to the ratification of the proposed amendment.

Also:

H. 1820. To authorize the governing bodies of all counties having populations of not less than 36,500 nor more than 39,200 according to the most recent federal decennial census to pay \$5.00 to each person attending an official school for election officials and who serve as an election official in the next election following such school.

Also:

H. 1825. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; authorizing the county governing body of such counties to develop and establish a prisoner rehabilitation program which would include a livestock raising and farming area for the purpose of inmates occupying their time in supplementing prison food, and including the leasing or purchasing of land for such purpose and purchasing equipment and supplies incident thereto; providing that the cost for such program be paid out of the county general fund and from funds designated for prisoners' feeding allowance; and prescribing penalties for violations by inmates.

Also:

H. 1858. To apply only in counties having a population of not less than 57,000 nor more than 61,000; providing for service of witness subpoenas by mail.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1637. To provide for the salaries and expense allowances of the circuit clerk and register of the circuit court in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

Also:

H. 1639. To provide for the salaries of the clerical assistant to the district attorney and the court reporters, in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Also:

H. 919. To create an additional judgeship for the Sixth Judicial Circuit of Alabama and provide for the election, term, compensation, powers, duties and authority of such judge.

Also:

H. 186. Relating to Montgomery County: To authorize and

establish the office of warrant magistrate; to provide for the appointment of three warrant magistrates; to provide for the qualifications of persons holding such offices, duties of said offices and the compensation and method of payment of same; to repeal conflicting laws.

Also:

H. 809. To provide that the clerk of the Circuit Court of Bibb County shall be entitled to certain warrant fees in addition to any other compensation or allowances heretofore provided by law.

Also:

H. 1479. Relating to DeKalb County; to provide an additional expense allowance for the chairman and members of the county commission.

Also:

H. 324. Relating to any county having a population of 600,000 or more, according to the most recent decennial census; providing residency requirements for members of the county public school board of education, and for those who vote for candidates in an election for a place on the county school board; and providing that present members shall be exempt from the provisions of this act.

Also:

H. 1536. Relating to all counties having populations of 10,660 inhabitants or less according to the most recent federal decennial census, to provide an additional clerk hire allowance for the tax assessor.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 6. Creating a select committee to study the best method of utilizing the natural resources of Southwest Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a

quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Merrill, Manley and Owens.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Owen moved that the Senate accede to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 490, the title of which is set out in the foregoing Message from the House.

Mr. Fine offered a substitute motion that the Senate accede to the request of the House with the provision that the conferees allow no more than a \$5,000,000 diversion of ASETF funds.

Mr. Owen moved that the substitute motion be laid on the table, which resulted in a tie vote.

Yeas 15; Nays 15.

Yeas:

Messrs. Adams, Edwards, Foshee, Givhan, Jones, King, Little, McDonald, (A), Noonan, Owen, Perry, St. John, Stewart, Torbert, Wilson.

— 15

Nays:

Messrs. Baker, Clemon, Ellis, Fine, Flipppo, Gilmore, McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, Shelby, Vacca, Waldrop.

— 15

The President and Presiding Officer of the Senate voted "Aye"; therefore the motion to table prevailed.

The question was then on the motion of Mr. Owen, which was adopted, and the Senate did accede to the request of the House.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—29

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate, Messrs. Owen, Foshee and Clemon.

RESOLUTION

Mr. Powell offered the following Senate Joint Resolution, to-wit:

S. J. R. 145. COMMENDING FORMER ALABAMIAN JOHN HENRY FAULK UPON HIS NEW BOOK, "FEAR ON TRIAL."

WHEREAS, former Alabamian John Henry Faulk was associated with CBS Television Network for several years; and

WHEREAS, this Union Springs, Alabama native is now living in the State of Texas and has recently written a book entitled "Fear on Trial;" and

WHEREAS, "Fear on Trial" will be dramatized this Thursday, October 2, 1975, on CBS Television; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we sincerely commend former Alabamian John Henry Faulk and wish him well with his new book, "Fear on Trial."

On motion of Mr. Powell, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1601. To provide for the partial participation of employees of the Cooperative Extension Service of Auburn University under Federal appointment in the Employees' Retirement System.

was taken up.

Mr. Little offered the following substitute for the Bill, H. B. 1601, to-wit:

SUBSTITUTE FOR H. B. 1601

A BILL TO BE ENTITLED AN ACT

To provide for the partial participation of employees of the Cooperative Extension Service of Auburn University under Federal appointment in the Employees' Retirement System.

Be It Enacted by the Legislature of Alabama:

SECTION 1. Any law to the contrary notwithstanding, the governing board of Auburn University may, by resolution legally adopted, elect to have its employees from whatever sources and in whatever manner paid, become eligible to participate in the Employees' Retirement System of the State of Alabama under the provisions of Act 515, H. 93, Regular Session 1945 (Acts 1945, p. 741, as now appearing in the Code of Alabama Recompiled 1958, Title 55, Section 467) provided that all contributions and benefits shall be computed based on a percentage, not to exceed fifty percent (50%), of each employee's total salary; and provided further that such percentage shall be expressly stipulated in the aforesaid resolution and that the resolution must expressly state that such percentage shall be applied uniformly to all employees covered thereunder. The funding responsibility of the employer, and, the resolution referred to above as it relates to the percentage stipulated shall not be subject to alteration, amendment, transfer, or other change unless such authority is specifically and clearly granted by an enactment of the Legislature of Alabama which specifically and expressly names the employees of the Cooperative Extension Service at Auburn University under Federal appointment. The term "employee or employees" as herein used is defined as those persons performing their duties for the Cooperative Extension Service at Auburn University who are under Federal appointment to said Cooperative Extension Service. Members of the Employees' Retirement System who participate in said System under the provisions of this Act shall participate and receive benefits under the same conditions as other members of said System, provided the basis for all computations shall not exceed fifty percent (50%) of each employee's total salary notwithstanding such member's coverage under Federal Civil Service Retirement.

SECTION 2. Anything in this Act to the contrary notwithstanding, any employee hereunder, who subsequent to his participation in the Employees' Retirement System under the provisions of this Act assumes regular employment with the State or with any employer unit participating in the Employees' Retirement System, or the Teachers' Retirement System, shall be entitled to count as creditable service only so much of each such year's service as is in the same proportion with the percentage of his salary contributed upon for such year.

SECTION 3. The provisions of this Act are supplemental and shall be construed to repeal any laws not in direct conflict therewith.

SECTION 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—29

Nays:

—0

And said Bill, H. B. 1601, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 130. TO CREATE AND PROVIDE FOR A CONTINUING INTERIM COMMITTEE ON FINANCE AND TAXATION.

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

Mr. Owen offered the following Senate Joint Resolution, to-wit:

S. J. R. 146. COMMENDING CLEVELAND L. ADAMS.

WHEREAS, Cleveland L. Adams is the first recipient of the new Southern Textile Chair within the School of Engineering at Auburn University; and

WHEREAS, Cleveland L. Adams has served as Head Professor of the Textile Engineering Department since 1952; and

WHEREAS, he has served the textile industry and the people of Alabama for over fifty years through his teachings and research; and

WHEREAS, Cleveland L. Adams helped organize and nurture the Alabama Textile Education Foundation, the Alabama Textile Operating Executives, and the Phi Psi Textile Honorary Fraternity; and

WHEREAS, Cleveland L. Adams has brought honor and recognition to Alabama, having served as a consultant on textile problems in the United States, Europe, Asia, Africa, Central and South America, and has worked with the United States Agency for International Development, the Regional Export Expansion Council, the National Council for Textile Education, many national engineering firms and international corporations while traveling in 77 countries; and

WHEREAS, he has been a member of the National Defense Executive Resource, the Alabama-Guatemala Partners of the Americas, the American Society for Testing Materials, the National Education Association, the American Society for Quality Control and is a charter member of the Textile Fiber Society; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend Cleveland L. Adams for his many achievements and particularly upon becoming the first recipient of the Southern Textile Chair of the School of Engineering at Auburn University.

On motion of Mr. Owen, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1790. To amend Section 8, Act No. 42, H. 207, Regular Session 1971 (Acts 1971, p. 279), relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$30,000,000 and to increase the years of maturity from not exceeding 30 to not exceeding 40 years.

Was read a third time at length and passed.

Yeas 20; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Gilmore, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, St. John, Stewart, Torbert, Vacca, Wilson.

—20

Nays:

—0

The Bill:

H. 638. An act relating to the development of small businesses; declaring the legislative intent to encourage state purchases from small businesses; requiring the Alabama Development office to assist small businesses and to otherwise coordinate activities relating thereto; providing that a meaningful percentage of state purchases and contracts be procured from small businesses; providing for interagency cooperation; providing for public hearings; requiring an annual report; authorizing appointment of an advisory council; providing an effective date.

was taken up.

On motion of Mr. Baker, consideration of the Bill, H. B. 638, was postponed until the next Legislative Day.

The Bill:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect

performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

was taken up.

Mr. Torbert offered the following amendment to the Bill, H. B. 1917, to-wit:

AMENDMENT TO H. B. 1917

Amend H. B. 1917 on Page 6, Line 5, by striking Section 6 in its entirety and inserting in lieu thereof the following:

"Section 6. Clerical Assistance. The Chairman of the Joint Highway Committee is hereby authorized to employ one fulltime secretary to be compensated at the same rate of pay as other secretaries employed by the Legislature, to be paid from funds appropriated for the use of the Legislature."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—21

Nays:

—0

And said Bill, H. B. 1917, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 2.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Torbert, Vacca, Waldrop, Wilson.

—25

Nays: Messrs. King and Stewart.

—2

The Bill:

H. 64. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Wilson.

—25

Nays:

—0

RESOLUTION

Mr. Gilmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 147. COMMENDING THE BIRMINGHAM PUBLIC LIBRARY ON ITS BOOK-BY-MAIL PROGRAM FOR THE HANDICAPPED AND SENIOR CITIZENS OVER SIXTY-FIVE YEARS OF AGE.

WHEREAS, the Birmingham Public Library initiated a unique program, called Book-By-Mail for the handicapped and senior citizens over sixty-five in its county and city; and

WHEREAS, this program has earned state and national recognition because of its service which provides for three books a month to be mailed to its participants and includes even the mailing, wrapping and return postage and necessitates no charge whatsoever; and

WHEREAS, the program in five short months has serviced over 300 people and has been received with an overwhelming acceptance of a 98% return; and

WHEREAS, it was cited by the White House as one of fifteen People Helping People programs meriting recognition in its July 4, 1975 newsletter; and

WHEREAS, the Birmingham Public Library has been invited by the Freedoms Foundation to offer this unusual program in the October 31, 1975 competition at Valley Forge, Pennsylvania; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do heartily commend the Birmingham Public Library for offering the unique Book-By-Mail program for the handicapped and senior citizens which gives them an opportunity to enjoy the facilities which otherwise would be unavailable to them, and we do further express our congratulations on their efforts which have earned national recognition.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Birmingham Public Library.

On motion of Mr. Gilmore, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 713. To create a board of trustees to manage, control and maintain Alabama State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the terms of office of members thereof; to divest the State

Board of Education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state board of education to the board of trustees of Alabama State University all supplies, funds, books, documents, records and other property or effects of such university.

was taken up.

Mr. Baker offered the following amendment to the Bill, H. B. 713, to-wit:

AMENDMENT TO H. B. 713

On page 2, beginning on the fifth line, delete the following words: "consist of at least three trustees from the prevailing minority population of the state according to the last or any succeeding federal census and shall" and then continue with the remainder of the sentence.

On motion of Mr. Pearson, said amendment was laid on the table.

Yeas 18; Nays 3.

Yeas:

Messrs. Adams, Bank, Clemon, Gilmore, Givhan, Jones, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, St. John, Stewart, Torbert.

— 18

Nays: Messrs. Baker, Ellis and King.

— 3

And said Bill, H. B. 713, was then read a third time at length and passed.

Yeas 29; Nays 1.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

— 29

Nay: Mr. Baker.

— 1

RESOLUTIONS

Mr. Flippo offered the following Senate Joint Resolution, to-wit:

S. J. R. 148. NAMING THE H. B. 1601 WHICH RECENTLY PASSED THE LEGISLATURE "THE SUMMERVILLE-WAGNON EXTENSION RETIREMENT ACT OF 1975."

WHEREAS, Dwight Summerville and L. T. Wagnon were employed their entire working careers with the Auburn Extension Service, the Legislature of Alabama hereby designates H. B. 1601 which has recently been passed by the Legislature "The Summerville-Wagnon Extension Retirement Act of 1975."

WHEREAS, we would like to recognize that these two men contributed immensely to the agricultural prosperity of farmers of this state and further they contributed greatly to the health and welfare of all Alabamians by their dedication to the Extension Service of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That H. B. 1601 be known as "The Summerville-Wagnon Extension Retirement Act of 1975."

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mrs. Dwight Summerville, widow of the late Dwight Summerville and to Mr. L. T. Wagnon.

On motion of Mr. Flippo, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Clemon offered the following Senate Joint Resolution, to-wit:

S. J. R. 149. CONGRATULATING SENATOR PEARSON UPON HIS APPOINTMENT TO THE MILES COLLEGE BOARD OF TRUSTEES.

WHEREAS, our distinguished colleague, Senator J. Richmond Pearson, has recently been appointed to the Board of Trustees of Miles College in Birmingham, Alabama; and

WHEREAS, Miles is a four year liberal arts institution which has served the Birmingham Community for over 60 years; and

WHEREAS, Senator Pearson has long supported this fine school; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily congratulate Senator Pearson upon his appointment to the Miles College Board of Trustees.

On motion of Mr. Clemon, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Dial:

H. J. R. 401. URGING THE ALABAMA EDUCATION STUDY COMMISSION TO CONDUCT A STUDY OF THE ILLICIT USE OF DRUGS ON PUBLIC SCHOOL PROPERTY AND TO RECOMMEND LEGISLATION AND OTHER MEASURES TO PREVENT SUCH USE OF DRUGS.

WHEREAS, the Legislature of Alabama is cognizant of the crucial problems which the schools of this state face in the area of drug abuse; and

WHEREAS, this body is also aware of the fact that many schools are frequently plagued with student disruption and numerous disciplinary problems; and

WHEREAS, there is a strong indication that all of these problems are interrelated; and

WHEREAS, the Legislature realizes that, while much may and is being done by school administrators to curb the illicit use of drugs, we also know that a real solution to these problems may require far-reaching social changes and also new laws; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do urge the Alabama Education Study Commission to undertake a comprehensive study, on a state-wide basis, of the illicit use and sale of drugs on school property. This study should encompass all of Alabama's public school systems and should include a study of expulsions from the schools and other disciplinary problems growing out of or incident to the use and sale of drugs and convictions of students enrolled in such schools which resulted directly from the use or sale of illegal drugs on school property.

BE IT FURTHER RESOLVED, That a report on the findings of this study be made to the Alabama Legislature not later than the fifteenth legislative day of the 1976 Regular Session of the Legislature, and that such report contain recommendations for legislation, if any legislation is needed, and other preventive and corrective measures needed to improve the conditions in our schools. A copy of such report should also be filed with the State Department of Education and a copy sent to each city and each county board of education in the state.

BE IT FURTHER RESOLVED, That any costs incurred in making this study and reporting thereon shall be paid out of funds of the Alabama Education Study Commission.

BE IT ALSO RESOLVED, That all local school boards, law enforcement officers and court officials handling cases growing out of illicit sale and use of drugs on school grounds cooperate with the Alabama Education Study Commission in its effort to ascertain facts of the situation and arrive at recommendations for improving conditions in our schools.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 401, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

H. 821. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

was taken up.

The Standing Committee on Rules reported the following substitute for the Bill, H. B. 821, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 821

A BILL
TO BE ENTITLED
AN ACT

Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members; and providing for an equal opportunity of employment plan.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the existing members of the State Personnel Board, the Governor shall appoint, from a list of six names of merit system state employees submitted to him by the Alabama State Employees Association, two additional members of said board. Each of said new members shall serve two year terms. The Alabama State Employees Association shall call a special meeting during the calendar month following the month in which this Act becomes effective, and annually during the month of March each succeeding year, and shall select the names of the six persons to be submitted to the Governor under the provisions of this Act. The President of the Alabama State Employees Association shall forthwith submit said list of names to the Governor who shall make his selection within 30 days from the receipt of said list by his office.

The term of office of the two additional members of the State Personnel Board appointed under the provisions of this Act shall begin on the first of the month next succeeding their selection by the Governor and they shall serve two year terms or until their successors are selected and appointed, provided however that the first appointments made shall be one year for one member and two years for the second member. In the event any member of the State Personnel Board appointed under the provisions of this Act shall die, resign or become incapacitated before the expiration of his term of office, his successor shall be immediately named by the Governor from among a list of three names of merit system state employees submitted by the president of the Alabama State Employees Association.

Any person appointed under the provisions of this act shall receive the same expenses provided for other members of the Board, but no additional compensation, other than their regular pay as state employees. Any person appointed under the provisions of this Act shall be carried on administrative leave when attending meetings of the Board.

All other provisions of law relating to members of the State Personnel Board that do not conflict with the provisions of this Act shall apply to the two members appointed hereunder, except that both members may be appointed from the same congressional district, or the same congressional district of any other member of the Board, provided that no more than 2 members may be from same district.

Section 2. The board shall adopt and implement a written affirmative action plan to insure equal opportunity of employment in all facets of its activities.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 13; Nays 2.

Yeas:

Messrs. Bank, Givhan, Jones, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Powell, St. John, Shelby, Vacca.

— 13

Nays: Messrs. Fine and Gilmore.

— 2

(A quorum of the Senate was present but not voting.)

Mr. Gilmore offered the following substitute for the Bill, H. B. 821, as amended by the Committee substitute, to-wit:

SUBSTITUTE FOR H. 821, AS AMENDED
BY SUBSTITUTE

A BILL
TO BE ENTITLED
AN ACT

Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the existing members of the State Personnel Board, the Governor shall appoint, with the consent of the Senate, two additional members of the Board, who shall have the same qualifications as are now required for membership on the Board, except that one of the additional members may be an employee in the classified service under the State merit system. An employee thus appointed shall be granted administrative leave to attend meetings of the Board.

Section 2. The first appointments under this act shall be effective March 2, 1976. Of the first appointments, one shall be for a period of two years and the other shall be for a period of four years. Succeeding appointments shall be for six-year terms.

Section 3. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Jones moved that said substitute be laid on the table, which motion was lost.

Yeas 4; Nays 14.

Yeas: Messrs. Jones, Little, Mims and Vacca.

—4

Nays:

Messrs. Baker, Bank, Ellis, Fine, Gilmore, Givhan, King, McDonald (A), McDonald (S), McMillan, Perloff, St. John, Stewart, Wilson.

—14

And said Gilmore substitute was then adopted by the Senate.

Yeas 17; Nays 1.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mitchell, Perloff, St. John, Torbert, Vacca, Wilson.

—17

² Nay: Mr. Jones.

—1

And said Bill, H. B. 821, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nay:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 929. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing Act No. 340, H. 981, 1973 Regular Session, (1973 Acts, p. 480) and other conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Senate concurred in and adopted the

following House amendment to the Bill, S. B. 929, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 929

Amend S. B. 929 by deleting the figure "11,400.00" on line 35, page 1, and inserting in lieu thereof: 10,800.00.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. McMillan:

H. 1968. To provide additional compensation for members of the jury commission in all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census.

Also:

By Mr. McMillan:

H. 1969. Relating to all counties having populations of not less than 57,000 nor more than 61,000; providing further for the compensation and expenses of the circuit clerk and register in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1968 and 1969. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

H. 1810. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, (Ala. Acts, 1966 Special Session, p. 106 et seq.) as heretofore amended providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

AN ACT

To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, (Ala. Acts, 1966 Special Session, p. 106 et seq.) as heretofore amended providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Section 1. It is hereby provided that Section 14 of Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, is hereby further amended so as to read as follows:

Section 14. Whenever any municipal corporation in Jefferson County annexes any portion of a district and a petition is filed with the Clerk of the municipality requesting annexation of the remaining portion of the district, said petition containing the following: (1) signatures of either one hundred (100) qualified electors residing within the district or ten percent (10%) of the qualified electors residing within the district, whichever is less, and (2) a written statement signed by at least two members of the Board of Trustees of the district reciting that those signing the petition constitute either 10% of the qualified electors residing within the district or 100 qualified electors residing within the district, whichever is applicable and (3) a description of the district; then the governing body of such municipal corporation shall provide for and finance the cost of a referendum election wherein the remaining qualified voter residents of such district may vote on whether or not the remainder of such district shall be annexed to such municipal corporation. Said referendum election shall be called by the municipal corporation not less than forty (40) days nor more than sixty (60) days after the annexation.

The question shall be submitted to a referendum in the following form:
 "Shall the territorial boundaries of (Official name of the district in question) _____ be annexed to (Name of municipality) _____
 YES NO "

If a majority of the votes cast in the election are "YES", then, the municipality shall annex all of the territory within such district. If a majority of the votes cast in the election are "NO", then, the provisions of this section shall have no further effect.

(b) If the district is annexed in accordance with the provisions of this act the annexing municipality may require all residents within the district to pay to the annexing municipality all sums which would have otherwise been due to the district for fire protection or garbage disposal or both. The payments to be made to the municipality shall be made in accordance with

the same terms of payment as were previously made to the district and said payments shall continue for a period of not more than three years from the date of annexation. After the expiration of three years from the date of annexation, no further payments for said services shall be due other than any amounts assessed against all citizens of the municipality as taxes or otherwise.

If the district is neither a garbage disposal district nor a combination fire protection and garbage disposal district but is only a fire protection district, then, the annexing municipality may require all residents of the district to provide for their garbage disposal for a period of not more than three years from the date of annexation. After the expiration of this three year period, the annexing municipality shall make no further requirements for garbage disposal other than any requirements imposed on all residents of the municipality.

(c) Subject to the limitations hereinafter stated, if an entire district is annexed to a municipal corporation, the district shall thereupon be dissolved. When a district is dissolved, as aforesaid or when any portion of a district discontinues being a part of a district, as aforesaid, such dissolution or such discontinuance, shall not impair the obligation of any person to the district which accrued prior to such dissolution or such discontinuance; and such dissolution or such discontinuance shall not affect the lien of the district against any property for obligations owed to the district at the time of such dissolution or such discontinuance. When a district is dissolved, as aforesaid, the Board of Trustees shall continue to exist for such period of time as shall be necessary to dispose of the property and assets of the district, as provided for in Section 15, below, and to otherwise wind up the affairs and business of the district, except if a district is dissolved in accordance with the provisions of this Section 14, then, all firefighting and garbage disposal equipment and facilities, including any real estate on which any permanent improvements for fire fighting or garbage disposal are located, shall be immediately conveyed to the annexing municipality. The remainder of all property and assets of the district shall be disposed of in accordance with Section 15, below.

(d) When any portion of a district is annexed to a municipal corporation, the district and such municipal corporation shall be authorized to enter into a contract providing for the district to continue to furnish its services to said portion of the district annexed, upon such terms and conditions as are specified in the contract.

(e) A district may be enlarged in accordance with the terms of this Section 14, provided, however, that no area lying within a municipality at the time of the enlargement shall be brought within the district. No area shall be brought within the district by enlargement except by an election provided for by subsection (f), below, or on petition as provided for in subsection (g), below. The term "proposed area" as used in this Section 14 means an area proposed to be brought within a district.

(f) When the Board of Trustees makes a finding that the inclusion of a proposed area within the district would be to the advantage of the district and the inhabitants of the proposed area, the Board of Trustees may file in the Office of the Probate Judge a certificate describing the proposed area and reciting the said finding, accompanied by the Board's petition that there be an election in the proposed area to submit to the qualified electors thereof the question of whether said area shall be included within the district. The certificate and petition shall be signed by

at least two members of the Board. Upon such certificate and petition being filed, the Probate Judge shall order an election to be held within the proposed area within the time provided for in Section 5, above, at which election the qualified electors residing within the proposed area shall vote on the question of whether such area shall be included in the district. Unless the majority of votes cast at the election vote in the affirmative on such question, the proposed area shall not be included within the district. Upon the officers canvassing the returns of the election certifying that a majority of votes cast was in favor of the inclusion of the proposed areas in the district that proposed area shall become a part of the district.

(g) The purpose of this subsection (g) is to obviate the considerable expense of an election on including a proposed area within a district when a clear majority of electors residing within such area file a written petition with the governing body of the County requesting that such area be included within the district. As used in this subsection (g) the following terms shall have the meanings hereby ascribed to them: "the certificate" means a certificate of the Board of Trustees, signed by at least two members thereof, describing a proposed area and reciting that the Board of Trustees has found that it would be to the advantage of the district and the inhabitants of the proposed area that the said area be included in the district; and "the governing body" means the governing body of the County. The proposed area may be included in the district on petition in the manner prescribed in this subsection (g). In order to secure the inclusion of a proposed area within a district upon petition, the Board of Trustees shall file with the governing body the following: (1) the certificate; (2) a petition, containing a description of the proposed area, signed by qualified electors of the proposed area, with the residence address of each signer being stated therein, requesting that the proposed area be included within the district; and (3) a written statement signed by at least two members of the Board of Trustees reciting that those signing the petition constitute at least seventy percent (70%) of the qualified electors residing within the proposed area.

When the Board of Trustees has filed the certificate, petition and statement, mentioned in the sentence next above, the governing body, as soon as is convenient to it thereafter, shall order that a public hearing be held before the governing body at its regular meeting place in the courthouse on the question of including the proposed area within the district, which meeting shall be at the time stated in the said order and after the publication of the notice below prescribed. If the proposed area lies entirely within one division of the County, the hearing shall be in the courthouse of that division of the County wherein the proposed area lies. If the proposed area lies partly in both divisions of the County, the hearing shall be in the courthouse at Birmingham. The governing body shall cause to be published at least fifteen (15) days prior to the hearing, at the expense of the district, in some newspaper having general circulation in the proposed area, a notice stating the time, place and purpose of the hearing. Such notice need not contain a legal description of the proposed area; but the notice shall state generally the location of the area and shall state that a legal description thereof is on file with the governing body.

If after such hearing the governing body is satisfied that at least seventy percent (70%) of the qualified electors residing in the proposed area signed the petition that the said area be included in the district, the governing body shall enter an order that such proposed area be included within the district, which order shall be recorded in the minutes of the

governing body. Upon said order being so recorded, the proposed area shall become a part of the district.

(h) Whenever in the opinion of the Board of Trustees the public good and the welfare of the district require that the area of the district be reduced and the boundaries thereof be re-established, the said Board shall pass a resolution defining the proposed boundaries. The resolution shall be in the form of a petition to the governing body of the County, herein called "The governing body", or shall contain a petition to such governing body, requesting that the governing body re-establish the boundaries of the district as proposed in the resolution and shall state the reason for such request. The Board of Trustees shall deliver the resolution to the governing body.

The governing body shall be authorized, but not required to re-establish the boundaries of the district, as proposed in the said resolution, subject to the conditions below stated. The governing body shall not change the boundaries of a district hereunder until after there has been a public hearing on the proposed change at a meeting of the governing body. Such hearing shall not be held until there has been published in a newspaper having a general circulation in the district a notice stating the time and place of the hearing, which publication shall be not less than fifteen(15) and not more than twenty-one (21) days before the hearing. It is not required that the notice describe by metes and bounds the proposed boundaries of the district. The governing body is authorized to give, or require to be given, such other and additional notice of the hearing as it deems appropriate, to the qualified electors residing in the area proposed to be excluded from the district. The district shall pay the expense of the newspaper notice above prescribed and of any other notice the governing body requires.

If the governing body, after the public hearing, concludes that the public good and the welfare of the district require that the boundaries of the district be reestablished, as proposed by the Board of Trustees, the governing body is authorized, but not required, to adopt a resolution reestablishing the boundaries of the district, as proposed. Upon the adoption of such resolution the boundaries of the district shall be those fixed, or established, by the resolution.

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: John M. McElroy, Who being duly sworn, says on oath that he is: Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: August 8, 15, 22, 29, 1975 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

JOHN M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 4th day of September, 1975.

JOHN E. SMITH,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1810. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. White:

H. 1962. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1962. To the Committee on Local Legislation No. 2.

BILLS ON THIRD READING RESUMED

The Bill:

S. 712. To amend Section 401, Title 51 of Code of Alabama 1940, so as to define further, gross income of a corporation which adopts a plan of complete liquidation in accordance with Section 337 of the Internal Revenue Code of the United States.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 19; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Pearson, Perloff, Roberts, St. John, Shelby, Vacca, Waldrop.

—19

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 535. Providing a method of issuing motor vehicle tags by mail in Marshall County by the judge of probate.

Also:

S. 794. Relating to the City of Huntsville; to provide for the election of a president and vice-president of the city board of education.

Also:

S. 218. To amend Section 2 of Act No. 107, S. 156, of the Regular Session of 1947, [now appearing in the Code of Alabama 1940, Recompiled 1958 in Title 13, Section 187 (3)] entitled An Act to authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office, so as to raise the amount paid bailiffs to an amount not to exceed six hundred dollars (\$600.00) per month.

Also:

S. 290. To amend Section 2 of Act No. 673, S. 800, Regular Session 1969 (Acts of Alabama 1969, p. 1206) relating to the office of sheriff of Marshall County so as to further provide for the number of employees and their compensation.

Also:

S. 292. Relating to Etowah County; to better secure the administration of the financial affairs of such county by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for

violations to set the effective date of this act and to repeal conflicting laws.

Also:

S. 465. To amend Section 1 of Act No. 821, H. 1336 of the Regular Session of 1971 relating to county boards of education in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent federal decennial census, so as to require any such boards of education to have regular scheduled meetings on the first Tuesday after the first Monday of each month, and at such other times as the board deems to be in the best interest of public education.

Also:

S. 907. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection and compensation of the Public Defender and for the employment and compensation of the Assistant Public Defenders and the personnel of said office, and for the expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collection of additional court costs in certain courts in said counties for such purpose and for the expenditure thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Also:

S. 1022. Relating to Tuscaloosa County, to provide further for the compensation of members of boards of registrars in such counties.

Also:

S. 850. To authorize certain savings and loan associations to establish a branch or branches in certain parts of Chambers County, Alabama.

Also:

S. 817. Relating to Choctaw County; regulating and providing for the payment of compensation of election officers.

Also:

S. 820. Relating to Choctaw County; to provide that the county commission pay such a supplement to the pay of jurors so as to make their total pay \$20 per day.

Also:

S. 982. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) as amended, which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices, so as to increase the salary of certain officers.

Also:

S. 773. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, in Equity.

Also:

S. 754. To repeal Act No. 147, H. 14, Third Special Session of 1971 (Acts of 1971, p. 4392), entitled, "An Act Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; requiring the rotation of duties among the county commissioners elected in each such county."

Also:

S. 624. To authorize the county commission of Chambers County to provide for the relief of Wilma M. Atkinson because of property damage sustained to her automobile.

JOHN W. PEMBERTON,
Clerk.

BILL RECONSIDERED

On motion of Mr. St. John, the Senate reconsidered the vote by which the Bill, S. B. 712, was passed.

On motion of Mr. St. John, the Senate reconsidered the vote by which the Bill, S. B. 712, was ordered to its third reading.

Mr. St. John then offered the following amendment to the Bill, S. B. 712, to-wit:

AMENDMENT TO S. B. 712

Amend the title of S. B. 712, page 1, line 20 by striking out the period after the word "States" and inserting in lieu thereof the following words:

, and to amend Code of Alabama Title 33, Section 9 relative to filing notice of a tax lien under the provisions of federal law.

Also, on page 2, by inserting, after line 17 the following new section:

Section 3. Section 9, Title 33, Code of Alabama, 1940, is hereby amended to read as follows:

The United States, by or through any officer, agent, or representative, may file in the office of the judge of probate of any county in this state, notice of a lien for any tax on the property of any person under the provisions of section 6323(f) of the Internal Revenue Code of 1954 as now or hereafter amended.

Also by renumbering subsequent sections accordingly.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones,

King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—24

Nays:

—0

And said Bill, S. B. 712, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Pearson, Perloff, Perry, Powell, St. John, Shelby, Stewart, Vacca, Waldrop.

—22

Nays:

—0

BILLS ON THIRD READING RESUMED

The Bill:

S. 7. To amend Code of Alabama, 1940, Title 52, Section 1, so as to prescribe that a school term in the public school system of this state shall consist of a minimum of one thousand and fifty hours of classes which may be apportioned over days, weeks and months as authorized by the county or city board of education and to redefine certain other terms so that they will be consistent with the above definition of "school term."

was taken up.

The Standing Committee on Education reported the following substitute for the Bill, S. B. 7, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 7

A BILL TO BE ENTITLED AN ACT

To amend Code of Alabama, 1940, Title 52, Section 1, so as to prescribe that a school term in the public school system of this state shall consist of a minimum of one thousand and fifty hours of classes which may be apportioned over days, weeks and months as authorized by the county or city board of education and to redefine certain other terms so that they will be consistent with the above definition of "school term."

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama, 1940, Title 52, Section 1, is hereby amended to read as follows:

"Section 1. A school term as used in this title with reference to the public school system of this state shall consist of a minimum of one thousand and fifty hours of classes which may be apportioned over days, weeks and months throughout the term as ordered by the county or city

board of education. Scholastic day as used in this title shall be such number of hours of actual teaching, exclusive of all recesses or intermission periods as ordered by the county or city board of education. Scholastic week as used in this title shall consist of the number of school days each week as ordered by the county or city board of education. Scholastic month as used in this title shall consist of the number of school days as ordered by the county or city board of education. Scholastic year as used in this title shall begin with the first day of July and end with the thirtieth day of June of each year. Fiscal year as used in this title is from October first to September thirtieth, inclusive."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Flipppo, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Pearson, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—23

Nays:

—0

And said Bill, S. B. 7, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, St. John, Shelby, Stewart, Waldrop.

—21

Nays:

—0

The Bill:

S. 635. To amend Section 224, Article 12 of the Constitution of 1901, so as to raise the debt limit to provide that no county shall become indebted in an amount including present indebtedness, greater than seven percentum of the assessed value of the property therein.

was taken up.

Mr. St. John offered the following amendment to the Bill, S. B. 635, to-wit:

AMENDMENT TO S. B. 635

Amend S. 635, page 1, line 9, by deleting the figure "7%" and inserting in lieu thereof: 5%

Also, page 1, on line 19 delete the word "seven" and insert the word: five

Also, page 1, on line 28 delete the word "seven" and insert the word: five

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, Roberts, St. John, Shelby, Stewart, Waldrop, Wilson.

—22

Nays:

—0

And said Bill, S. B. 635, as thus amended, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Wilson.

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1042. Relating to the governing body of Baldwin County, amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

Also:

S. 1066. To authorize the Register of the Circuit Court in all counties having populations of not less than 23,900 nor more than 24,450 to hire a clerical assistant, to set the compensation of such assistant, and to provide that the salary of such assistant be paid from the general funds of such counties.

Also:

S. 1077. To provide for the election of members of the county board of education of Chambers County, Alabama; to define the school districts from which the members of the county board of education are elected.

Also:

S. 1131. Relating to Crenshaw County; to provide an additional expense allowance to the county solicitor.

Also:

S. 1132. Relating to Crenshaw County; to provide for the county solicitor's salary.

Also:

S. 1142. Relating to counties with a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to allow the collection of a solicitor's fee by the county in all appropriate cases of the county court whether or not the district attorney is present at the hearing of the case.

Also:

S. 1143. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 1149. Relating to the thirty-fourth judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for a secretarial assistant for the office of district attorney of said judicial circuit.

Also:

S. 1159. Relating to all counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent or any subsequent federal decennial census; to provide that any probate judge who has served 15 or more years may elect to assume certain additional duties for extra compensation upon termination of office or retirement.

Also:

S. 1161. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide for an additional expense allowance for the court reporter of the circuit court of said counties.

Also:

S. 1170. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws

in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or its otherwise becoming law.

Also:

S. 1177. To provide for the City of Oxford in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

S. 1176. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for certain education officials in such counties.

Also:

S. 1184. Relating to all counties having a population of not less than 23,900 nor more than 24,450; providing for an additional expense allowance for all sheriffs to be paid by the county governing bodies of such counties.

Also:

S. 1185. To amend Act No. 324, H. 784, Regular Session of 1965 (Acts 1965 Regular Session, p. 443), which Act establishes a merit system for the City of Decatur, amending Section 15 of said Act so as to provide for leaves of absence for employees to seek election to public office in Morgan County, and amending Section 21 of said Act so as to limit the prohibited political activities which city employees can engage in to such activities in Morgan County.

Also:

S. 1189. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

Also:

S. 1190. To repeal Act No. 829, H. B. 1454, Regular Session 1973, (Acts 1973, p. 1325), entitled, "An Act To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent federal decennial census."

Also:

S. 1191. Relating to Marshall County; authorizing savings and loan associations to open, establish, operate and maintain branch offices.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1104. To further provide for the education and training of deaf,

blind and certain other persons and to further define the authority of the board of trustees of the Alabama institute for deaf and blind.

was taken up.

The Standing Committee on Health and Welfare reported the following substitute for the Bill, S. B. 1104, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 1104

A BILL TO BE ENTITLED AN ACT

To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of trustees of the Alabama Institute for Deaf and Blind is hereby authorized to provide for the education and training of the deaf, the hearing impaired, the blind, and the visually handicapped in residential programs at any location within the state, with no limitations on the age of participants and no time limit on any participants.

Section 2. The board of trustees of the Alabama Institute for Deaf and Blind is hereby authorized to cooperate with any local school board or group of school boards, with the state board of education, and with any other state agencies in providing education and training and necessary supportive services to persons having disabilities under the scope of this Act.

Section 3. Local school boards, the state board of education, and all other state agencies are hereby authorized to cooperate, in their discretion, with the board of trustees of the Alabama Institute for Deaf and Blind in providing education and training and necessary supportive services to persons having disabilities under the scope of this Act.

Section 4. Nothing herein shall abrogate the responsibility of any local school board or of the state board of education under the "Alabama Exceptional Child Education Act".

Section 5. The Alabama Institute for Deaf and Blind is hereby designated as the official state agency to conduct the state educational and training programs for the deaf, the hearing impaired, the blind, and the visually handicapped within the scope of this Act, or within the scope of its other present legal authority.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. The provisions of this Act are cumulative, and the authority vested in the board of trustees of the Alabama Institute for Deaf and Blind herein shall be in addition to any other authority vested in it by law.

Section 8. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—24

Nays:

—0

And said Bill, S. B. 1104, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—24

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Baker, further consideration of all Senate Bills remaining on the Calendar was indefinitely postponed.

RESOLUTION

Messrs. Fine and St. John offered the following Senate Joint Resolution, to-wit:

S. J. R. 150. WHEREAS, the Senate and the House of Representatives of the State of Alabama are informed that Senator John J. Sparkman and Senator James B. Allen and Representative Robert E. Jones and Representative Tom Bevill have introduced in the Senate and the House of Representatives of the United States a bill to create a United States District Court for the Tennessee Valley District of Alabama, to encompass a territorial jurisdiction composed of the twelve Tennessee Valley counties of this state; and

WHEREAS, the enactment of such bill by the Congress would relieve members of the public residing within the proposed Tennessee Valley District of burdensome and inconvenient requirements of travel for themselves, their witnesses and particularly their attorneys, and inordinate expense incident thereto in the conduct of litigation in the United States Courts and would relieve members of the public summoned for jury duty in such Courts of like burden and expense, thereby making United States Courts accessible to the members of the public of this State

concerned with less total cost and greater inconvenience to them; NOW, THEREFORE,

BE IT HEREBY RESOLVED by the Senate and the House of Representatives of the State of Alabama that Senator Sparkman, Senator Allen, Representative Jones and Representative Beville be commended for their action in the interest of the public of this State concerned thereby in the introduction in the Congress of the said bill to create a United States District Court for the Tennessee Valley District of Alabama and that the Congress is hereby urged, in behalf of such members of the public of this State, to enact said bill into law.

ADOPTED by the Senate and the House of Representatives of the State of Alabama in regular session at the Capitol in the City of Montgomery this the _____ day of October in the year 1975.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 531. To further provide for the authority of police officers appointed pursuant to the provisions of Section 500 of Title 52 of the Code of Alabama of 1940, as amended, and Act No. 1125, adopted at the 1969 Regular Session of the Legislature of Alabama.

was taken up.

Mr. Waldrop offered the following amendment to the Bill, H. B. 531, to-wit:

AMENDMENT TO H. B. 531

Amend House Bill 531 by inserting beginning on line 33 the following new Section:

Section 3. Nothing in this Act shall grant authority to any persons appointed under the provisions of this Act to enter a classroom for the purpose of enforcing traffic or parking citations.

and by renumbering the remaining sections.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs. Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Noonan, Pearson, St. John, Stewart, Torbert, Vacca, Waldrop.

—21

Nays:

—0

And said Bill, H. B. 531, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Gilmore, Jones, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Powell, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 891. Relating to taxation, to provide an exemption from Advalorem Taxes for personal property held by a licensed public warehouseman for the account of the manufacturer, compounder or processor to be distributed on his orders or for him by the warehouseman.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1214. To repeal Act No. 1637, H. B. 2384, Regular Session 1971 (Acts 1971, p. 2794), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000 according to the last or any subsequent federal decennial census; to repeal conflicting general, local, or special laws."

Also:

S. 1215. Relating to Marshall County; Providing for the compensation of the register of the circuit court.

Also:

S. 1216. To repeal Act No. 1337, H. B. 2154, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1217. Relating to Marshall County; to regulate the amount of sick leave with pay allowed certain school bus drivers.

Also:

S. 1218. To repeal Act No. 1355, H. B. 2172, Regular Session 1971, (Acts 1971, p. 2298), entitled "An Act To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000

nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1219. To repeal Act No. 2132, H. B. 2578, Regular Session 1971, (Acts 1971, p. 3421), entitled "An Act Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act."

Also:

S. 1220. To repeal Act No. 204, H. B. 883, Regular Session 1973, (Acts 1973, p. 238), entitled, "An Act Relating to the office of the Sheriff in all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the Sheriff's office and their salary."

Also:

S. 1221. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff's deputies and other employees and providing for the manner of their payment; authorizing the sheriff to receive the allowances prescribed by law for feeding prisoners in jail and requiring him to make monthly statements relative thereto; and repealing conflicting laws, specifically Acts No. 673, S. 800, Regular Session 1969 (Acts 1969, p. 1206).

Also:

S. 1222. To repeal Act No. 1349, H. B. 2166, Regular Session 1971, (Acts 1971, p. 2294), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the Sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

Also:

S. 1223. Relating to Marshall County; fixing the fee for the issuance of a pistol permit by the sheriff and providing for the deposit of such fees in a sheriff's fund.

Also:

S. 1224. To repeal Act No. 1338, H. B. 2155, Regular Session 1971 (Acts 1971, p. 2287), entitled, "An Act Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer."

Also:

S. 1225. Relating to Marshall County; providing the county superintendent of education an annual expense allowance, in addition to

any and all other salary, compensation or allowances now provided such officer.

Also:

S. 1226. To repeal Act No. 1353, H. B. 2170, Regular Session 1971, (Acts 1971, p. 2297), entitled, "An Act Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1227. To repeal Act No. 1347, H. B. 2164, Regular Session 1971, (Acts 1971, p. 2293), entitled, "An Act Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1228. To repeal Act No. 1357, H. B. 2174, Regular Session 1971 (Acts 1971, p. 2299), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

Also:

S. 1229. Relating to Marshall County; authorizing the county governing body to contribute county funds for the use of any non-profit volunteer rescue squad operating within said county.

Also:

S. 1230. To repeal Act No. 963, H. B. 2044, Regular Session 1973 (Acts 1973, p. 1472), entitled "An Act Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials."

Also:

S. 1231. To repeal Act No. 1048, S. B. 877, Regular Session 1973 (Acts 1973, p. 1660), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines."

Also:

S. 1232. Relating to Marshall County; requiring the use of voting machines at all polling places; allowing the designation of polling places; permitting electors to register votes on any voting machine at the designated voting place; providing for employment of a custodian of voting machine, the procedure for his appointment, salary and bond; allowing candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; and allowing candidates the right to demand in writing to the body in charge of ballot boxes to break seals for recanvass of votes in voting machine.

Also:

S. 1233. To repeal Act No. 862, H. B. 1189, Regular Session 1969 (Acts 1969, p. 1570), entitled "An Act To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation."

Also:

S. 1234. To authorize the sheriff of Marshall County to make certain expenditures without approval of the county commission and to prescribe regulations relative to such expenditures.

Also:

S. 1235. Relating to Marshall County; fixing the compensation of the Judge of the County Court.

Also:

S. 1236. To provide for an increase of compensation to be paid by Marshall County for the Court Reporters of the 27th Judicial Circuit.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1192. To repeal Act No. 1632, H. B. 2379, Regular Session 1971, (Acts 1971, p. 2791), entitled, "An Act To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1193. Relating to Marshall County; regulating and prescribing the qualifications of persons engaging in the Bail Bond business.

Also:

S. 1194. To repeal Act No. 114, H. B. 159, Special Session 1962 (Acts 1962, p. 148), entitled, "An Act To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to services and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act," and all acts amendatory thereof.

Also:

S. 1195. To repeal Act No. 1340, H. B. 2157, Regular Session 1971, (Acts 1971, p. 2288), entitled, "An Act To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars."

Also:

S. 1196. Relating to Marshall County; authorizing the county governing body to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars; and providing for the effective date of its provisions.

Also:

S. 1197. To repeal Act No. 1336, H. B. 2153, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies."

Also:

S. 1198. Relating to Marshall County; providing that the jury commission and board of registrars be allowed 10 extra authorized meeting days each year and providing further for an expense allowance for the members of said bodies.

Also:

S. 1199. To repeal Act No. 1636, H. B. 2383, Regular Session 1971, (Acts 1971, p. 2793), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws."

Also:

S. 1200. Relating to Marshall County; providing further for clerk-hire allowances for certain county officers.

Also:

S. 1201. To repeal Act No. 1644, H. B. 2391, Regular Session 1971, (Acts 1971, p. 2798), entitled, "An Act To increase the compensation of the judge of county court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census."

Also:

S. 1202. To repeal Act No. 110, H. B. 151, Third Special Session 1971, (Acts 1971, p. 4334), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from the county funds, for the register of the county court in any such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971."

Also:

S. 1203. Relating to Marshall County; providing additional compensation, payable from county funds, to the register of the circuit court for serving as register of the county court.

Also:

S. 1204. To repeal Act No. 157, H. B. 173, Third Special Session 1971, (Acts 1971, p. 4401), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most decent (sic) federal decennial census; to provide compensation for the court reporter of the county court in such counties."

Also:

S. 1205. Relating to Marshall County; providing additional compensation for the court reporter of the county court.

Also:

S. 1206. To repeal Act No. 1648, H. B. 2395, Regular Session 1971, (Acts 1971, p. 2800), entitled, "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body."

Also:

S. 1207. Relating to Marshall County; providing further for the expense allowances of the chairman and members of the county governing body.

Also:

S. 1208. To repeal Act No. 1351, H. B. 2168, Regular Session 1971, (Acts 1971, p. 2296), entitled, "An Act Providing additional allowances for clerk hire fund for the office of probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1209. To repeal Act No. 1114, S. B. 943, Regular Session 1973, (Acts 1973, p. 1876), entitled, "An Act relating to counties having a

population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Also:

S. 1210. To repeal Act No. 277, S. B. 171, Third Special Session 1971, (Acts 1971, p. 4553), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties."

Also:

S. 1211. Relating to Marshall County; providing an additional expense allowance for the probate judge.

Also:

S. 1212. To repeal Act No. 1640, H. B. 2387, Regular Session 1971, (Acts 1971, p. 2795), entitled, "An Act To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit; and to fix the amount and method of payment thereof."

Also:

S. 1213. Relating to Marshall County; providing a supplemental salary to the circuit judges of the judicial circuit having jurisdiction in said county.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1702. To provide that any municipality within Calhoun County may hold a referendum every four years on the question of allowing said municipality to become or remain legally dry, or to become or remain legally wet.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

—0

The Bill:

H. 1401. To provide for the City of Piedmont in Calhoun County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Vacca, Wilson.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 897. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which established a pension system for employees and officers of Jefferson County, Alabama.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 897

We, the committee of conference appointed to reconcile the differences between the two Houses concerning H. B. 897, have met, considered the matter, and agreed to the following:

We recommend that the Senate recede from its amendment to the bill, and that the bill as passed by the House be agreed to by both houses.

Conferees of the House

F. S. FALKENBURG,
Chairman

CHRIS McNAIR,

J. T. WAGGONER, JR.,

Conferees of the Senate

PASCHAL P. VACCA,

J. RICHARD PEARSON,

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. McMillan, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 897, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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BILLS ON THIRD READING RESUMED

The Bill:

H. 1125. Relating to public health; further amending Section 1 of Act No. 211, S. 107, Regular Session 1945 (General Acts 1945, p. 330), as amended, (now appearing in Code of Alabama, Recompiled 1958, Title 22, Section 204 (3)) so as to include nursing homes and extended care facilities within the definition of the term, hospital, as such term is used in the law providing for State Board of Health Hospitals and the State master plan of hospitals.

Was read a third time at length and passed.

Yeas 21; Nays 1.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Gilmore, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Roberts, St. John, Vacca.

—21

Nay: Mr. Stewart.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1601. To provide for the partial participation of employees of the Cooperative Extension Service of Auburn University under Federal appointment in the Employees' Retirement System.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1707. Relating to medical clinic boards organized under Act No. 516 (1955 Regular Session), as amended; providing that in cases where any debt service reserve fund established by a medical clinic board is to be entirely funded out of bond proceeds, it will not be necessary for the rental under any related lease to include amounts sufficient to build up such debt service reserve and, in such cases, dispenses with the necessity of any findings by the Board of Directors of any such medical clinic board with respect thereto; providing that medical clinic board bonds may mature at such time or times not exceeding forty years from their date; providing that refunding bonds issued by such a medical clinic board need not be payable solely out of the same revenues out of which the refunded bonds were payable; and specifying that all the aforesaid provisions shall apply both prospectively and retrospectively except in certain specified cases.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Flippo, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Perloff, Perry, Powell, Roberts, St. John, Wilson.

—22

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Johnson:

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1489. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Crowe, Biddle, Robertson, Malone, Rich, Owens, Waggoner, McNeese, Cooper, Glass, Martin, McCluskey, Sandusky, Smith (M), Teague, Hall, Kelley, Cross, Roberts, Wyatt, Shelton, McCulley, Warren, Manley, Crawford, Naramore, Boles, Hopping, Callahan, Jackson (R), Taylor and Tucker:

H. 1567. To amend Section 259, subsection (d) of Section 262, Section 263, Section 272, Section 279, Section 283, Section 289, Section 293, Section 299, Section 312, all being of Chapter 5 Title 26, Code of Alabama 1940, as amended, Sections 7, 13, and 17 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, Sections 6, 12, and 16 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as amended, and Sections 6, 12 and 16 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as amended, relating to extraterritorial coverage of employees subject to the workmen's compensation laws of Alabama, providing compulsory coverage for employers who do not regularly employ less than three employees, extending immunity from suit by employees to other employees of the employer, to the employer's workmen's compensation insurance carrier and to certain persons or unions making safety inspections, defining permanent total disability and extending benefits for permanent total disability for the duration of the disability, fixing the employer's and the second injury trust fund's liability in the event a second injury produces permanent total disability, permitting credit for the payment of benefits for temporary total disability against the compensation payable for permanent partial disability resulting from an unscheduled injury only, providing for vocational rehabilitation under certain circumstances, establishing the effect of the procurement of gainful employment on permanent total disability benefits, increasing the percentage of a decedent's employee's average weekly wages to which one dependent is entitled, fixing the minimum weekly benefit at 25% of the average weekly wage of the state as determined by the director of industrial relations and the maximum weekly benefit at 66-2/3% of such average weekly wage, and providing for certain periodic changes in the minimum and maximum weekly benefit and the total amount of compensation payable, eliminating any time or dollar limit for compensable medical expenses and giving an employee the right to reject the first two physicians selected by the employer, establishing the effect of the recovery of damages from a third party by an employee suffering a permanent total disability, permitting lump sum payments of compensation with commutation upon approval of the court and by agreement of the parties and amending the acts providing for compensation for occupational pneumoconiosis, occupational exposure to radiation, and certain occupational disease to make the amendments described above applicable to those acts, all relating to the statutory plan for the compensation of employees for job-related injuries and certain illnesses and diseases.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1567. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Kinsey, Sonnier, Hill, Jackson (F), Johnson, Warren, Glass and Folmar:

H. 281. To provide for a guaranteed minimum starting wage or salary for all state, county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 281. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hall:

H. 1739. To authorize the county board of education in all counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census to provide transportation for public school pupils, in grades one through twelve, who live less than two miles from the school they are attending if the local county or city superintendent certifies the routes are dangerous or hazardous.

Also:

By Mr. McCluskey:

H. 1958. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; providing for the sheriff's expense allowance not to exceed \$8,000.00 per annum for the purchase of equipment and uniforms for sheriff and employees of sheriff's department in such counties.

Also:

By Mr. McMillan:

H. 1967. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance for the tax collector and the tax assessor.

Also:

By Mr. Smith (M):

H. 1955. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA RANDOLPH COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary line of the Town of Wedowee, Randolph County, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Wedowee and in addition thereto the following described territory, to-wit:

SW $\frac{1}{4}$, W $\frac{1}{2}$ of SE $\frac{1}{4}$, W $\frac{1}{2}$ of NE $\frac{1}{4}$, Section 4, Township 20, Range 11

Section 2. That this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(2) That the Town Clerk be and he hereby is directed to prepare the necessary copies of the above mentioned Bill for introduction in the Legislature; and that immediately after the fourth publication of the notice prescribed in (1) above he shall pay the cost of such publication and procure from said publisher an affidavit substantially as follows:

NOTE: The Aug. 27, 1975, issue of the Press in the second paragraph of Section 1 of this Resolution listed the land as being in Section 5, Township 20, Range 11. It is corrected this week to read Section 4, Township 20, Range 11.

AFFIDAVIT

STATE OF ALABAMA RANDOLPH COUNTY

I, J. S. Schuessler, business manager The Randolph Press, a newspaper of general circulation published in the Town of Wedowee,

Alabama, Randolph County, do hereby certify that the attached Legal Notice appeared in this newspaper on 8-20, 1975; 8-27, 1975; 9-3, 1975; 9-10, 1975.

J. S. SCHUESSLER.

Subscribed and sworn to before me this the 17th day of September, 1975.

CAROL LANE WOOD.

My Commission Expires 4-25-77.

Also:

By Messrs. Ford, Taylor and Rich:

H. 1952. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or it otherwise becoming law.

Also:

By Mr. Owens:

H. 1953. To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

STATE OF ALABAMA COUNTY OF BIBB

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

Be It Enacted by the Legislature of Alabama:

Section 1. The City of Centreville in Bibb County is hereby authorized and directed to enter into an agreement with the State Personnel Department for the establishment of a city personnel and merit

system. Such system shall be established based upon recommendations of the State Personnel Department and any cost thereof shall be paid from any funds available in the city treasury.

Section 2. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CENTREVILLE

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on August 14, August 21, August 28, and September 4, all in the year 1975.

J. W. OAKLEY, JR.

Sworn to and subscribed before me September 4, 1975.

FRANCES N. BAKER,
Notary Public.

Also:

By Messrs. Taylor, Ford and Rich:

H. 1954. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

Also:

By Mr. Kelley:

H. 1956. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes prescribing a penalty for violation of this Act.

Also:

By Mr. McMillan:

H. 1965. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial

census; providing for an increase in the annual expense allowance for the sheriff of such counties.

Also:

By Mr. McMillan:

H. 1966. Relating to counties having a population of not less than 57,000 nor more than 61,000; to provide an additional expense allowance for the probate judge.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 1739. To the Committee on Local Legislation No. 2.

H. B.'s 1958, 1967, 1955, 1952, 1953, 1954, 1956, 1965 and 1966. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Drake and Sparks:

H. 1939. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Good Hope, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Good Hope, Alabama, in addition thereto the following described territory, to-wit:

TRACT I:

The Southwest Quarter of the Northeast Quarter of Section 32, Township 10 South, Range 3 West.

TRACT II:

The Southeast Quarter of the Northwest Quarter of Section 5, Township 11 South, Range 3 West. Also, the Southwest Quarter of the Southwest Quarter of Section 5, Township 11 South, Range 3, W.

TRACT III:

All that portion of the Southeast Quarter of the Southeast Quarter of Section 28, Township 10 South, Range 3 West, lying and being west of Alabama Highway No. 69.

ALSO: All that portion of the Southwest Quarter of the Southeast Quarter of Section 28, Township 10 South, Range 3 West, lying and being west of Alabama Highway No. 69.

TRACT IV:

The Southeast Quarter of the Southwest Quarter of Section 28, Township 10 South, Range 3 West.

TRACT V:

All that portion of the West half of the Northeast Quarter of Section 33, Township 10 South, Range 3 West, lying and being west of Alabama Highway No. 69.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
CULLMAN COUNTY

Before me Charlotte Miller a Notary Public in and for said County and State, personally appeared Marc Miller, publisher of The Cullman Tribune, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week, for 4 successive weeks and being in the issues of said newspaper of the following dates, viz: Nov. 1, 8, 15 and 22, 1973.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 17 day of January 1974.

CHARLOTTE MILLER,
Notary Public.

Also:

By Messrs. Drake and Sparks:

H. 1963. Relating to Cullman County; to protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; to protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall apply only in Cullman County.

Section 2. The provisions of this act are pursuant to the legislative authority to protect the public health and welfare, and specifically to protect and preserve water purification and to prevent water contamination.

Section 3. It shall be unlawful for any person, partnership, corporation or any association of individuals to engage in surface mining in the following area contiguous to Lewis Smith Lake: the area bounded by the meandering line determined by following the contour established by the spillway elevation and a meandering line a distance of $\frac{1}{4}$ mile away from the contour line established by the spillway elevation.

Section 4. Any person, partnership, corporation or any association of individuals who violates the provisions of this act shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$500.00 nor more than \$1,000.00.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Aug. 21, Aug. 28, Sept. 4, and Sept. 11, all in the year 1975.

MARC MILLER.

Sworn to and subscribed before me Sept. 22, 1975.

CHARLOTTE MILLER,
Notary Public.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 1939 and 1963. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Kinsey and McMillan:

H. J. R. 393. REQUESTING THE SECRETARY OF AGRICULTURE OF THE UNITED STATES TO REVIEW ANY PROPOSED BANS ON THE USE OR MANUFACTURE OF ANY PESTICIDES WITH THE FINAL DECISIONS ON SUCH BANS BEING BASED ON THE CONSENT OF THE DIRECTOR OF THE ENVIRONMENTAL PROTECTION AGENCY AND THE SECRETARY OF AGRICULTURE.

WHEREAS, The agricultural production of independent farmers contributes greatly to the employment and economic welfare of the State of Alabama and is one of the few industries which has shown a consistent and growing return in capital; and

WHEREAS, This viable industry has grown and developed as a result of dramatic advances in management and production technology; and

WHEREAS, One of the most significant advances in production technology has been the development of pest control through the use of chemicals; and

WHEREAS, Recent activity by the unilateral Environmental Protection Agency has removed several economical and effective chemical pesticides from the farmers' arsenal; and

WHEREAS, We recognize the need to protect the public from harmful chemicals in their environment; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the interest of the public would be better served if any proposed ban on the use or manufacture of any pesticide applied in agriculture, be subject to a critical review by the Secretary of Agriculture of the United States of America with final judgment for the ban based on the consent of both the director of the Environmental Protection Agency and the Secretary of Agriculture.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the U. S. Secretary of Agriculture and each member of the Alabama Congressional delegation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 393, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Falkenburg, Jackson (R), McNair, Gafford, Biddle, Armstrong, Jolly, Hilliard, Trammell, Leonard, Hall, Howard, Hopping, Porter and Tucker:

H. 1689. To authorize and provide for the incorporation in each city in the state having a population of 250,000 or more according to the last or any subsequent Federal Census of one or more public corporations for the purpose of providing products markets, exhibition halls, coliseums and buildings and related structures for the display of products or the conduct of exhibitions, contests and sporting events in order to encourage the industrial, economic and commercial development of such cities, the counties in which they are located, and the state, and to promote interests in sports, and amusements; to provide for the election or appointment of Directors and Officers of such corporation: To specify the powers of such corporation, including the exercise of the power of eminent domain: to empower such corporation to enter into management contracts and other agreements with private entities for management of any project developed by it; to empower the municipality in which such corporation is organized to enter into a lease agreement with such corporation for lease by such municipality of any project developed by the corporation for a term of up to thirty years; to empower the municipality in which such corporation is organized, as well as any other municipality in the same county as such

municipality, as well as the county itself to make capital investments in such corporation; to authorize the county in which such corporation is organized, any public corporation formed with its consent or approval, any public corporation formed with the consent or approval of such municipality, any other municipality located in such county, any public corporation formed with its consent or approval and the State of Alabama or any of its corporate agencies to enter into leases for use by them of any project developed by such corporation; to provide certain terms and conditions for such leases; to authorize the donation of property by such municipality, the county in which the same is located, any other municipality in such county, or the state to such corporation; to authorize the appropriations of funds by such municipality, the county in which the same is located, any other municipality in such county, or the State of Alabama to or for the benefit of such corporation; to authorize the sale and issuance by such corporation of interest-bearing revenue bonds and refunding revenue bonds, payable solely out of the rent, revenues and income from the project or projects with respect to which they are issued; to specify the provisions which may be included in such bonds and to declare them to be negotiable instruments; to authorize and provide for an indenture of trust under which such bonds may be issued; to provide for certain remedies in favor of the holder or holders of any bonds issued by such corporation upon default on the same, but limiting such remedies to preclude foreclosure upon any project of such corporation, or any other remedy by which the holder or holders of such bonds may gain ownership, title or possession of such project; to specify the use to which the proceeds of such bonds may be put; to authorize the investment of funds of such corporation not presently needed; to exempt from taxation properties of the corporation and the income therefrom, the said leases, the said bonds and the income therefrom and the said indentures; to provide that such bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of such municipality, the county in which the same is located, and any other municipality in such county in such bonds; to authorize the publication of notice of the adoption of the resolution authorizing such bonds and providing a short statute of limitation for the institution of action or the making of defenses respecting the validity of said bonds, pledge, indenture and lease; to provide for the vesting in such municipality of title to each project of such corporation upon payment of all bonds issued with respect to such project; to provide for payment of any surplus monies held by such corporation at the end of any fiscal year thereof in excess of \$250,000 or such greater sum as may be approved by the governing body of such municipality, in excess of any reserves necessary to secure payment of any indebtedness of the authority, to such municipality; to provide for transfer of the assets of any corporation organized pursuant to the provisions of Act No. 174 of the First Special Session, 1965 (1965, First Extra Session, PP. 224, Et Seq.) in the county in which such municipality is located which has no bonded or otherwise secured indebtedness to such corporation; to provide for the Directors of such a corporation organized pursuant to the provisions of said Act No. 174 to be the initial Directors of such corporation if willing to serve as such; and, to provide for the dissolution of such corporation.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1689. To the Committee on Local Legislation No. 2.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Callahan:

H. 818. To make an appropriation from the Special Educational Trust Fund for the relief of Harry V. Schmidt.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 818. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Falkenburg, Johnson, Roberts, Armstrong and Waggoner:

H. 1653. To provide for a treatment program for persons suffering from hemophilia and related diseases, and the administration therefor.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1653. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 348. To provide that in all contracts for public improvements awarded by the State or by any department, agency, board, commission,

authority or political subdivision thereof, including any municipality, county and any board, commission or agency of such municipality or county, the contractor may, from time to time withdraw the whole or any part of the amounts retained from payments due the contractor under the terms and conditions of such contract by depositing security in an amount at least equal to the amount of retainage withdrawn.

Also:

S. 350. To amend Section 11 of Act No. 492 of the General Acts of the Regular Session of the Alabama Legislature of 1947 so as to provide that after completion of 50% of the contract no additional retainage will be withheld.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 139. MOURNING THE DEATH OF MRS. NONA S. HILL.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolutions and returns same herewith to the Senate:

S. J. R. 138. WISHING GRACE THOMAS A SPEEDY RECOVERY.

Also:

S. J. R. 145. COMMENDING FORMER ALABAMIAN JOHN HENRY FAULK UPON HIS NEW BOOK, "FEAR ON TRIAL".

Also:

S. J. R. 142. HONORING JAMES V. "JAKE" JORDAN UPON HIS RETIREMENT AS STATE BUDGET OFFICER.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Smith (B):

H. J. R. 405. PROVIDING FOR THE CONTINUATION OF

THE JOINT COMMITTEE TO STUDY THE RISING COST TO THE STATE OF THE MEDICARE AND MEDICAID PROGRAMS.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established by Act No. 4, S. J. R. 14 of the Regular Session of 1975, shall continue its work as directed in Act No. 4 of the Regular Session of 1975, and, in addition thereto, the committee shall also endeavor to get the federal regulations relative to medicaid and medicare changed in such manner as they think will accomplish their purpose, including a visit to the federal authorities handling the medicare and medicaid programs, if, in the opinion of the committee, this would do any good, and also visits to several other states in order to investigate such states' medicare and medicaid programs.

BE IT FURTHER RESOLVED, That the committee members shall be entitled to their usual legislative per diem and expenses for attending meetings of the committee and making the trips designated by the committee, which shall be paid from funds appropriated to the payment of the expenses of the legislature; however, the expenses of the committee shall in no event exceed five thousand dollars.

BE IT FURTHER RESOLVED, That the committee shall make a report to the legislature before the tenth legislative day of the next regular session.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 405, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The Bill:

S. 1262. To create a civil service board for cities having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census, providing for the composition of the board and terms of office, providing for the appointment of police and fire chiefs in such cities and prescribing their duties, providing for a grievance procedure for discharge, and providing for promotions of fire and police personnel.

was taken up.

Mr. Waldrop offered the following substitute for the Bill, S. B. 1262, to-wit:

SUBSTITUTE FOR S. B. 1262

**A BILL
TO BE ENTITLED
AN ACT**

To create a civil service board for cities having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census, providing for the composition of the board and

terms of office, providing for the appointment of police and fire chiefs in such cities and prescribing their duties, providing for a grievance procedure for discharge, and providing for promotions of fire and police personnel.

Be It Enacted by the Legislature of Alabama:

Section 1. All members of the police department and the fire department and the chiefs of such departments in all cities having populations of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census, shall be governed by the civil service board as hereinafter provided.

Section 2. The following words and phrases, when used in this act, unless a different meaning is plainly recorded by the context shall have the following meanings:

1. The words "members of the police department" shall include all officers, patrolmen, detectives, wardens, the clerk of the police court, and the clerk or secretary of the chief of police.

2. The words "members of the fire department" shall include the assistant chiefs of the fire department, captains, lieutenants, engineers, assistant engineers, and firemen, and all others who are regularly carried on the payroll of such fire department, except hostlers and helpers, and others as such board may find and designate to properly be such members, respectively.

3. The word "patrolman" shall mean and apply to all motorcycle officers, drivers of automobiles used by the police department, and all other members of the police department below the grade of sergeant, but shall not include detectives.

4. The word "board" shall mean and apply to all members of the civil service board.

Section 3. Members of the Board and Term of Office.

The board shall consist of five (5) members to be designated as follows: The president of the city chamber of commerce, the president of the county bar association, the president of the city labor council, one member to be appointed, upon the recommendation of the Commissioner of Public Safety, by a majority vote of the city commission, and one member to be appointed by the joint majority vote of the members of the municipal police and fire departments. Each member, once elected president of his or her respective organization, shall serve on the board for a three year term and shall begin upon the expiration of the respective terms of office of the present board members. The president of the City Chamber of Commerce shall take office upon the expiration of the term of the present board member whose term expires on June 30, 1976; the President of the County Bar Association shall take office upon the expiration of the term of the present board member whose term expires on June 30, 1977; and the President of the City Labor Council shall take office upon the expiration of the term of the present board member whose term expires June 30, 1978. In the event one of the before mentioned presidents is not a natural resident and qualified voter of city to which this act applies, the appointment shall follow the line of succession in said organization until a certified successor is found. The two additional members provided by this act shall both begin their three-year terms of office on January 1, 1976. Persons in the following categories may not be appointed by either the city commission or the members of the city police or fire departments:

1. A former member of the city commission.
2. Any person holding any office of profit under the city, county or state.
3. Any person who is not a natural resident in and qualified voter of the city.
4. Any person related by blood or marriage within the fourth degree to any member of the city commission or any present employee of the city police or fire departments at the time of appointment.
5. A former member of either the city police or fire department.

Section 4. Appointment of Police and Fire Chief. Immediately upon the death, resignation, retirement, or removal otherwise by the municipal civil service board of the present police and/or fire chiefs, the board shall furnish to the public safety commissioner a list of three names standing highest on the eligible list for the office of police chief, and a list of three names standing highest on the eligible list for the office of the chief of the fire department. The ranking of those eligible for promotion shall be in accordance with the provisions of this act hereinafter stated in Section 13. The public safety commissioner shall choose from the lists furnished him one person to serve as chief of the fire department, and one person to serve as chief of the police department, provided that the commissioner is hereby prohibited from appointing any person whose name is not submitted by the board. The public safety commissioner shall be responsible for the formulation of public policy that will be in the best interest of the safety and general welfare of the citizens of the city, and each chief selected shall be responsible to the public safety commissioner for the carrying out of that policy. The chief of each respective department so selected or appointed shall serve a probationary period from the time of selection or appointment for a period of six (6) months, and if the public safety commissioner during said time is of the opinion that the chief of each respective organization so selected or appointed is not faithfully executing his duties in carrying out said policy, the public safety commissioner is hereby given the authority to remove or discharge such chief, provided, however, in the event of removal or discharge during said probationary time, the chief so discharged or removed shall be reinstated in the position previously occupied in said department before assuming the duties of chief, and shall be given credit for time served as chief towards any rights that may accrue for seniority and retirement benefits. In the event of removal or discharge during the stated probationary time, the public safety commissioner shall appoint or select from the list previously furnished by the board a replacement to the chief so removed or discharged. After the expiration of the six month period, the appointment or selection shall become final, and the Public Safety Commissioner cannot remove or discharge said chief without the approval or consent of the board. In the event of discharge or removal after the expiration of the six months period, the chief so removed or discharged shall have the same rights as given the members of the police and fire departments in Section 10.

Section 5. Duties of Police and Fire Chief.

The duties of the chief of the fire department and the chief of the police department shall have the overall responsibility for the efficient operation of each respective department. In order to carry out said responsibility the chief of each respective department is hereby given the authority to remove, discharge, demote, or discipline as reasonable under the

circumstances, any employee or member of said department who is subject to the provisions of this act, provided, however, that such removal, discharge, demotion, or disciplinary action is based on one or more of the grounds set forth in Sections 8 and 9 of this act, and provided further, that such action meets with the consent and approval of the board. In the event the employee or member is discharged, removed, demoted or disciplined, then such employee or member shall have the right to present his case before the board, and, if necessary, appeal the decision of the board all as outlined in Sections 10 and 11 of this act.

Section 6. Limit on Rules to be Enacted by the Board. The board shall not adopt any rules for the carrying out of the provisions of this act except the board may fix the times for its regular meetings, and may hold special or adjourned or called meetings at any time. Otherwise, the board shall be bound by the provisions of this act in making a determination of each issue or issues presented to it.

A majority of the members of the board shall constitute a quorum for transaction of business. All meetings of the board shall be held in the city hall and the board shall keep minutes of its meetings and a record of all business transacted by it, and said records shall be open for inspection by any resident of the city at reasonable times.

Section 7. Oath of Office.

Every person who becomes a member of the board under the provisions of this act shall within fifteen days thereafter qualify by making oath that he is eligible for said office and will execute the duties of same according to his best knowledge and ability. Such oath shall be administered by any person authorized to administer such oaths, or by any member of the city commission, and a copy thereof filed with the city clerk.

Section 8. Grounds for Removal, Discharge, Demotion, or Any Other Type or Kind of Reasonable Disciplinary Action of Any Employee or Member of the Fire Department.

Any member or employee of the fire department of the city who shall be guilty of any one or more of the following offenses shall be subject to discharge, removal, demotion, or any other type or kind of reasonable disciplinary action as determined by the chief of said department with the consent and approval of the board:

- (a) Absence without leave
- (b) Neglect of Duty
- (c) Incompetency or inefficiency in the service
- (d) Disobedience of any lawful rule, order or direction of his superior, or refusal to obey such rule, order or direction
- (e) Intoxication while on duty
- (f) Conduct unbecoming an officer or employee of the city
- (g) Insubordination
- (h) Using profane, coarse, abusive, or disrespectful language to the public or to any officer or employee of the city
- (i) Disorderly conduct while on or off duty

- (j) Any criminal act
- (k) Shaking dice, card playing, or gambling with any instrument or device for money or any article of value
- (l) Allowing women of questionable character around quarters
- (m) Refusing or neglecting to pay any just and honest debts
- (n) Being under the influence of drugs not medically prescribed

Section 9. Grounds for Removal, Discharge, Demotion or Any Other Type or Kind of Disciplinary Action as Determined by the Chief of the Police Department With the Consent and Approval of the Board of Members and Employees of the Police Department.

Any member of the city police department who shall be guilty of any one or more of the following offenses shall be subject to removal, discharge, demotion, reprimand, suspension, forfeiture of pay, or any other type or kind of disciplinary action as determined by the chief of said department with the consent and approval of the board:

- (1) Cowardice. Failure to support fellow officer in performance of duties or leave scene where crime is being committed.
- (2) Willful disobedience of rules or orders.
- (3) Being under the influence of liquor.
- (4) Drinking any kind of intoxicating liquor while on duty.
- (5) Willful maltreatment of a prisoner or any other person.
- (6) Conduct unbecoming a police officer.
- (7) Insubordination or disrespect towards a superior officer.
- (8) Neglect of Duty.
- (9) Inattention to duty.
- (10) General Incompetency.
- (11) Sleeping on duty.
- (12) Lounging on post.
- (13) Being absent from duty without permission.
- (14) Absent from post without proper reason.
- (15) Using coarse, profane or insolent language to a superior officer or to any member of the department or to a citizen.
- (16) Not properly patrolling or guarding a post.
- (17) Making a false statement.
- (18) Neglecting to wear proper uniform while on duty.
- (19) Receiving bribes in money or other valuable items.
- (20) Receiving or accepting any fee, reward or gift of any kind from any person arrested or from any friend in his behalf while in custody, or from any person for services rendered or pretended to be rendered as a member of the department.

(21) Gossiping about a member of the department concerning his personal character or conduct to the detriment of such member.

(22) Publicly criticizing orders given by a superior officer.

(23) Communicating or giving police information to any person concerning the business of the department to the detriment of the department.

(24) Communicating any information which may aid a person to escape, or to delay the apprehension of a criminal, or secure the removal of stolen or embezzled goods or other property or money.

(25) Refusing to give number of badge, or name when requested.

(26) Neglecting to furnish persons arrested with a receipt for all personal property taken from them.

(27) Neglecting to turn all property taken from persons arrested, or found, or seized, to the proper officer without unnecessary delay.

(28) Ignorance of rules or orders.

(29) Using a revolver except in extreme cases.

(30) Being under the influence of drugs not medically prescribed.

Section 10. Procedure in Event a Party is Aggrieved at Any Action or Decision Pertaining to Removal, Discharge, Demotion, or Any Other Type or Kind of Disciplinary Action.

In the event the chief of the police department, the chief of the fire department, provided said chiefs have served out a six months probationary period as chief, or any other member or employee of the police departments as defined herein is removed, discharged, demoted, or in any other manner disciplined, the aggrieved party is hereby given the authority to file a written notice with the board of such grievance, provided, however, such written notice is filed within five days from the date of the order of discharge, removal, demotion, or any other type or kind of disciplinary action. The board shall perform an investigation within 60 days of the receipt of the grievance. Within five days of the completion of the investigation, a hearing shall take place, and the chairman of the board shall notify the parties involved of the date of a public hearing at which time each side will be given an opportunity to present its case. The chief of each respective department shall have the authority to suspend any member in said department pending said public hearing. At such hearing, the legal rules of evidence shall not be binding and same shall be held informally for the purpose of arriving at a just decision. At all proceedings before the board, the city attorney may appear and represent the interest of the city when ordered to do so by the board. Any attorney secured by the person or persons making the charge or accusation shall be allowed to represent the prosecution and any attorney secured by the accused shall be allowed to represent the accused. Any person may be served with a subpoena to appear and testify, or to produce books and papers relevant to such investigation before the board, such subpoena to be issued as subpoenas are now issued and provided for in the circuit courts in this state; and anyone who shall refuse or neglect to appear and testify or produce such books and papers relevant to such investigation as commanded in such subpoena, shall be guilty of a misdemeanor, and punished as misdemeanors are punished in the State of Alabama. The fees

for witnesses for attendance and travel shall be the same as fees for witnesses before the circuit courts of this state and shall be paid from the treasury of the city if affected. After hearing the evidence, the decision of Board shall be given in writing to the accused, and shall be spread on the minutes.

Section 11. Appeals from Decisions from Board.

An appeal may be taken from any decision of the board in the following manner: Within ten days after any final decision of such board, any party, including the governing body of the city, feeling aggrieved at the decision of the board, may appeal from any such decision to the circuit court of the county. Upon the filing of any such appeal, notice thereof shall be served upon any member of the board, and a copy of said notice shall be served upon the appellee or his attorney, by the appellant. Such appeal shall be heard at the earliest possible date by the court sitting without a jury, unless a jury is demanded by the appellant at the time of filing his notice of appeal or by the appellee within ten days after notice of appeal has been served upon him. In event either party demands a jury as provided above, the appeal shall be heard at the next regular jury term of court and shall have priority over all other cases. No bonds shall be required for such an appeal and such an appeal shall be effected by filing a notice and request therefor by the appellant upon any member of the board and upon the appellee as herein provided for above and also by filing a notice and request for an appeal with the clerk of the circuit court. It shall not be necessary to enter exceptions to the rulings of the board, and the hearing of the appeal shall be a trial de novo. An appeal may be taken from any judgment of the circuit court to the court of appeals or the supreme court as now provided by law.

Section 12. Applications for Positions. Examinations:

All applicants for a place or position on the police force or fire department, as the case may be, shall file their application in writing with the board, said applications to be on the blank forms furnished by the board, and all applicants must be subject to examination, which shall be public, competitive, and open to all citizens of the United States, with specified limitations as to age, residence, health, habits and moral character. No person shall be eligible to take said examination who is not a citizen of the United States, or who has ever been convicted of a felony, or who does not possess good moral character. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to intelligently discharge the duties of the position to which they aspire.

The board shall control all examinations, and whenever an examination is to take place, shall conduct such examination. Every application for examination shall pay to the city clerk the sum of five dollars (\$5.00) and the receipt therefor shall be attached to his application.

Section 13. Procedure in the Event of Vacancies. The chief of police, as far as such police department be concerned, and the chief of the fire department, as far as such fire department is concerned, shall notify the board within five days of the occurrence of any vacancy in the ranks of patrolmen, or firemen, respectively, and the board shall furnish the respective chiefs with the name and address, or names and addresses, of the candidate or candidates standing highest on the eligible list, and same shall receive the appointment or appointments to fill such vacancy or

vacancies. All appointments shall be on probation for a period of six months from date of taking office (such appointments include officers and chiefs). Before the expiration of probation, the chiefs of the fire and police departments, respectively, may with the consent of the board, discharge any probationer in his respective department upon assigning in writing his reasons therefor to the board. If a probationer be not discharged before the expiration of his probation, his appointment shall be deemed complete and final. Candidates for chief of the police and fire departments shall meet the following qualifications:

- a. Minimum rank of lieutenant in the particular department.
- b. Minimum of twelve years service.
- c. Three years service in an administrative and/or supervisory capacity.
- d. Must be one of the three names standing highest on the eligibility list, as submitted by the board to the Public Safety Commissioner.
- e. The fire chief appointee shall have had at least 200 hours of classroom and/or fire ground training.
- f. The police chief appointee shall have a two year degree or above in law enforcement in an accredited institution and/or be a graduate of a recognized police academy.

Promotions to fill vacancies or new jobs shall be filled on the basis of seniority under the following conditions:

1. Competency being equal, seniority shall prevail in the police and fire departments each considered as a separate department for the purpose of seniority. In determining competency the following factors shall be considered:

- (a) Ability to perform the work as determined by written test results
- (b) Physical fitness and suitability
- (c) Past record with the department
- (d) Character and moral standing of the applicant.

2. Only where the foregoing factors are relatively equal shall seniority be the determining factor in promotions.

The board shall require that examinations for promotion be held at least once a year, and the board shall be responsible for publishing the eligibility list at least once each year.

Section 14. Emergency Appointment.

The board may, in an emergency, or in cases where it deems proper, authorize the chief of police to appoint for temporary service such number of police officers as in the opinion of the board of commissioners of the city the existing conditions demand. All officers so appointed shall be furnished with badges, said badge to be different in size and design from the regulation badges used by the regular members of the police and detective force, and must have the words "special officer" across the face of them in large letters. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges, and at the expiration of their appointment shall cause all such badges to be taken up.

It shall be unlawful for any person to have in his possession any such commission or any badge of a police officer of such cities unless same has been issued to him by the board.

Section 15. Seniority to Prevail in Shift Changes in Police Department.

Seniority shall prevail as to shift changes in the divisions of various departments in the police department as follows:

A. Uniformed Patrol Department.

1. Patrolmen considered as a division.
2. Sergeant considered as a division.
3. Desk Sergeants considered a division.
4. Lieutenant considered as a division.
5. Captain considered as a division.

B. Traffic Department.

1. Patrolmen considered as a division.
2. Sergeant considered as a division.
3. Lieutenant considered as a division.
4. Captain considered as a division.

C. Detective Bureau.

1. Detective considered as a division.
2. Vice Squad considered as a division.
3. Lieutenant of detectives considered as a division.
4. Chief of detectives considered as a division.

The following personnel shall be exempt from the above provisions and shall be assigned to shifts by the chief of police for the convenience of the public and general efficiency of the police department:

1. Record Clerk.
2. Secretary to the Chief of Police.
3. Superintendent of Identification.
4. Meter Repair Specialist.
5. Recorder Court Sergeant.
6. Traffic Court Clerk.
7. Radio Operator.
8. Motorcycle Officers.

Section 16. Promotions.

A. The chief of police and the chief of fire department, shall from the membership of their respective departments, recommend for promotion to

the civil service board members, such persons or persons who have qualified themselves by passing a promotional examination administered by the members of the said civil service board. There will be a total number of one hundred twenty-five (125) questions asked on said examinations. A passing grade will be 70% of total answers answered correctly out of the one hundred and twenty-five. A score less than 70% of total answers answered will be a failure of the examination. The promotional examinations for all ranks in the police department will be taken from the contents of the city code concerning law enforcement on crimes and offenses. The State of Alabama code concerning law enforcement on crimes and offenses and those rules and regulations governing the city police department. As the case may be for the city fire department members examination, those rules and regulations governing the overall operation of the fire department, the city code concerning the fire department, fire prevention rules and regulations, equipment, tools and apparatus.

B. Those members of the police department and the fire department who have become eligible for promotion from being examined by the above rules must have served one (1) year in his present rank before being considered further.

C. Every applicant for examination shall pay to the city clerk the sum of five dollars and the receipt thereof shall be attached to his application.

D. No member of the police department or the fire department will be "double promoted", except in the case of the police and fire chiefs, that is, no member shall jump the line of rank from sergeant, or in the case of the fire department, driver, lieutenant, captain, assistant chief to chief of the respective department.

E. The chief of police, or in the case of the fire department, the chief of fire department in their departments respectfully, will follow the above rules of this section for promotions to assistant chief. The chief of police, or in the case of the fire department, the chief of fire department will recommend to the civil service board, the name of the captain standing highest in his application for assistant chief promotion. If all qualifications and interviews are equal seniority shall prevail for promotion.

F. In order to be eligible to take the promotional examination for sergeant or detective in the police department, a patrolman must have had a minimum of one year of service.

To be eligible for the lieutenant examination one must first be promoted to a sergeant or detective.

To be eligible for the captain examination one must first be promoted to a lieutenant.

To be eligible for the assistant chief examination one must first be promoted to a captain.

G. In order to be eligible to take the promotional examination for driver, one must have had a minimum of one year of service as a fire fighter.

To be eligible for the lieutenant examination one must first be promoted to a driver.

To be eligible for the captain examination one must first be promoted to a lieutenant.

To be eligible for the assistant chief examination one must first be promoted to a captain.

H. The qualifications for chief of the fire or police departments are listed supra, in Section 13 a, b, and c of this act.

Section 17. Credit for Previous Service.

All members of the police department and fire department shall be given credit for all accumulated seniority for previous service up to the effective date of this provision, except that periods of interruptions shall not be taken into account in determining length of service. All future accumulated seniority shall be added to his or her past seniority which will determine total seniority. If a member of the police department or fire department is discharged for cause or resigns his or her position with the department and at a later date is re-employed, he or she shall begin as a new employee, for seniority purposes.

The police chief and the fire chief shall canvass all records of the departments concerned and make an accounting of each member's seniority standing and post a list on the bulletin board or furnish each member a copy of the entire department concerned. Once a year a review shall be made of the seniority list and brought up to date.

Section 18. Temporary Transfers.

Relative to temporary transfers from the fire department or police department:

A. That any person transferred out of the police or fire department to any other job not subject to the civil service act shall cease to be subject to the civil service act as of the date of the transfer.

B. Any temporary transfer to a job outside the police or fire department shall cease to be subject to the civil service act and jurisdiction of the board, but shall be permitted to return to his job in the police or fire department without loss of any rights if he returns within 120 days of said change or transfer.

C. To be temporary, such transfers shall not exceed a period of ninety (90) days in any one calendar year.

D. Any person now occupying such temporary position outside the department may exercise his right to return to his position in the police or fire department within nine (90) days of the date of this rule, without loss of any rights.

Section 19. Charges By Other Persons.

Charges may also be preferred by any citizen or other person against any member of the fire or police department. Such charges must conform to the foregoing rules and be in writing and verified by affidavit, and two copies of such charges together with a list of the names and addresses of the prosecutor's witnesses must be filed with the board. Charges not conforming to the foregoing rules will not be considered by the board.

Section 20. Solicitation of Political Contributions Prohibited.

No officer or employee of any police or fire department shall solicit orally, or by letter or otherwise, or receive, or be in any manner concerned in soliciting or receiving any assessment or subscription or contribution for

any candidate, political party or political purpose whatsoever, provided however, that this section shall only apply to Municipal elections, and state elections where state constitutional officers and members of the Legislature are elected.

No officer or other member of the police or fire departments, or any other person, shall in any wise undertake or threaten to degrade, discharge or promote, or in any manner change the official rank or pay off any officer or employee, or promise or threaten to do so, for giving, or withholding or neglecting to make any contribution of money or valuable thing for any party or for any political purpose whatsoever. No employee of the police or fire department shall receive any promotion as a regard for his support of any candidate or political party. No employee of either department shall be reduced in rank or pay as punishment for his failure to support any candidate for political office.

Any person in the service of the city by appointment who shall willfully or through culpable negligence, violate any of the provisions of this Section and who shall be found guilty after a trial before the board, shall be dismissed from the service of the city, and shall not be subject to reappointment for two years. Any officer or employee of the city other than those holding office under the civil service rules who shall willfully or through culpable negligence, violate any of the provisions of this section shall be guilty of a misdemeanor, and on conviction shall be fined a sum not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00), unless same be otherwise provided therein, and the office so held by such person, by force of such conviction shall be rendered vacant, and such persons shall not again be allowed to hold any office or place of employment under the city thereafter for two (2) years. Any other person who shall willfully, or through culpable negligence violate any of the provisions of this section shall be guilty of a misdemeanor, and shall on conviction be punished by a fine in the sum of not less than fifty dollars (\$50.00) and not exceeding five hundred dollars (\$500.00).

Section 21. Bond Required.

No applicant for a position on the police force who has fulfilled all other requirements of this act and been appointed to a position as a member of the city police department shall enter upon the discharge and performance of his duties as a member of such police department until he has filed with the city clerk a bond conditioned according to the law relating to official bonds, in the following penal sums: chief of police, assistant chief of police, and all other members of the police departments one thousand dollars (\$1,000.00) each. Unless such bond is furnished by such appointee as above prescribed, within ten days from the date he is appointed by the board his appointment shall be vacated by said board unless said board for good cause shown shall grant said appointee additional time not to exceed ten additional days within which to procure the execution of such bond and file same; the bonds of such officers shall be paid for by the city employing them.

Section 22. Compensation to be Paid Members of Board.

Each member of the board shall be entitled to the total sum of \$25.00 each time said board meets for the purpose of transacting business, said sum to be paid from the city general fund.

Section 23. The provisions of this act are severable. If any part of

the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 24. All laws or parts of laws which conflict with this act are repealed.

Section 25. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

And said Bill, S. B. 1262, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 567. To prescribe means, in addition to the giving of bail bonds, by which a person charged with an offense in counties having populations of not less than 115,000 nor more than 150,000, according to the most recent Federal Decennial census, regardless of his financial or social status, may give security for appearance in order to secure his release instead of being needlessly detained pending his appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 567, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 567

On page 1, line 20, after the period following the word "interest", insert the following:

"And to provide that it shall be the duties of such judicial officers as hereinafter defined to approve said release and to impose such hereinafter described conditions of release as shall be deemed necessary by said judicial officers. In the event said judicial officer shall deem it necessary to impose the condition of a secured appearance bond, said judicial officer shall have the authority to set such bonds and to approve or disapprove any such bonds imposed as a condition of release."

HOUSE AMENDMENT NO. 2 TO S. B. 567

On page 1, line 26, delete the entire sentence beginning with the word "Any" and insert in lieu thereof the following:

"Any person charged with an offense, other than a capital offense, may, by any judicial officer as hereinafter defined, be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by the judicial officer, unless the officer determines that such a release will not reasonably assure the appearance of the person as required or the safety of any person or the community."

HOUSE AMENDMENT NO. 3 TO S. B. 567

On page 2, line 16, after the period following the word "release" insert the following:

"In the event said judicial officer shall deem it necessary to impose the condition of a secured appearance bond, said judicial officer shall have the authority to set such bonds and to approve or disapprove any such bonds that are imposed as a condition of release."

HOUSE AMENDMENT NO. 4 TO S. B. 567

On page 4, line 18, delete Section 2. j. in its entirety and insert in lieu thereof the following:

"j. Judicial Officer. As used in and with regard to the provisions of this act the term "judicial officer" means, unless otherwise indicated, any circuit judge or equivalent thereof in this state, any probate judge in this state, any county court judge or district court judge created in lieu thereof, any magistrate or equivalent thereof in this state, or any city recorder or equivalent thereof in this state."

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flipppo, Gilmore, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen,

Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1389. Relating to Coosa County, providing monthly expense allowances for the tax assessor, tax collector, and circuit clerk of said county; and giving this Act retroactive effect.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1601. To provide for the partial participation of employees of the Cooperative Extension Service of Auburn University under Federal appointment in the Employees' Retirement System.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 733. Relating to employees of the Board of Corrections; providing that the rules and regulations of the State Personnel Department shall not be applicable to the appointment, tenure or

compensation of physicians, surgeons, psychiatrists, psychologists, dentists and allied professional supportive personnel.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hines:

H. 34. To provide for the temporary release of certain persons convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections to seek employment and a place of residence in the community where he will reside after release from his sentence.

Also:

By Mr. Hines:

H. 761. To amend Code of Alabama 1940, Title 15, Section 325 relative to place of confinement for persons sentenced to three years or less imprisonment.

Also:

By Messrs. Johnstone, Lutz, Gregg, Riddick, Hill, Killian, Brindley, Morris, Drake, Sparks, Lockett, Hines, Jackson (R), McNair, Tucker, Hopping, Hilliard, Leonard and Andrews:

H. 1345. To provide for application for review of felony sentences of five or more years, except death sentences, by a panel of three circuit judges appointed from time to time by the President of the Circuit Judges Association.

Also:

By Mr. Campbell:

H. 1804. This Act shall be known as the "Alabama Catfish Marketing and Consumer Act of 1975"; allow for the orderly Marketing and easy consumer identification in the retail market place of catfish products produced or processed in the State of Alabama; and for related purposes.

Also:

By Messrs. Sonnier and Sandusky:

H. 1074. Relating to the regulation of the practice of podiatry in Alabama; to provide that all contracts of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services performed by podiatrists under this Act.

Also:

By Messrs. Sonnier and Sandusky:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

Also:

By Messrs. Sasser and McCluskey:

H. 79. To amend Title 55, Section 488 (2), Code of Alabama 1940, so as to allow out-of-state travel for employees of institutions under control of the state board of education and employees of local boards of education without prior authorization by the governor, provided such travel shall have been authorized by the president of the institution or the local superintendent of education involved.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 34, 761, 1345, 1804, 1074, 1075 and 79. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Wyatt, Coburn, Greer, Carter, Andrews, Naramore, Folmar, Baker, Hopping, McMillan, Warren, McCulley, Trammell, Kinsey, Glass and Holmes:

H. 383. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

Also:

By Messrs. LeFlore, Hill, Teague, Whatley, Johnstone, Turnham, Glass, Warren, McCulley, Malone, Gafford, Sonnier, Sandusky and Carter:

H. 591. To further amend Sections 1 and 3 of Act No. 470, S. 182, 1969 Regular Session [Acts 1969, p. 912—now appearing in Code of Alabama Recompiled 1958, Title 55, Section 488(1) and 488(3)], as amended, which Act relates to various expense allowances for state employees so as to provide for increases in subsistence and mileage allowances for such employees.

Also:

By Messrs. Baker, Whatley and Higginbotham:

H. 1946. To name the state grain elevator at Phenix City, Alabama, the W. O. "Bill" Patterson Grain Elevator.

Also:

By Messrs. Killian, Crowe, White, Hines, Manley and Lockett:

H. 885. To provide that a \$2.00 license good for one day shall be required for hunting on a licensed game preserve within the state where only exotic or non-native game is being hunted.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee as follows:

H. B.'s 383, 591, 1946 and 885. To the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 209. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such service common for the use of the county or participating municipality or municipalities, and to authorize the providing of such service by contract; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of limited fees for such ambulance service.

Also:

S. 533. To authorize each municipality in Alabama to convey, without an election, and with or without consideration, its waterworks system, in sanitary sewer system, or either thereof, or any part of either thereof, to any other municipality in the state, and to make agreements with respect to such matters.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Turnham and Callahan:

H. 129. To provide for the licensing of speech pathologists and audiologists; to establish an Alabama Board of Examiners for Speech Pathology and Audiology; to define the powers and duties of such board; to prescribe licensing standards, procedures, and fees; to provide a penalty for violation of this Act; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 129. To the Committee on Finance and Taxation.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and Secretary of State, with the date and hour of delivery, to-wit:

S. B. 33

S. B. 141

S. B. 562

S. J. R. 67

S. J. R. 72

S. J. R. 81

S. J. R. 84

S. J. R. 86

S. J. R. 87

S. J. R. 96

S. J. R. 111

Delivered to the Governor, September 16, 1975, at 2:15 P.M.

S. B. 15

S. B. 887

Delivered to the Governor, September 18, 1975, at 11:30 A.M.

S. B. 1058

S. J. R. 128

Delivered to the Governor, September 18, 1975, at 4:00 P.M.

S. B. 408

S. B. 460

S. B. 461

S. B. 933

Delivered to the Governor, September 23, 1975, at 10:35 A.M.

S. B. 887

Delivered to the Governor, September 23, 1975, at 1:30 P.M.

S. B. 185

S. B. 415

S. B. 457

S. B. 797

S. B. 1162

S. J. R. 110

S. J. R. 114

S. J. R. 115

S. J. R. 119

Delivered to the Governor, September 23, 1975, at 4:35 P.M.

S. B. 245

S. J. R. 104

S. J. R. 105

S. J. R. 109

S. J. R. 123

S. B. 430

S. B. 450

Delivered to the Governor, September 25, 1975, at 10:20 A.M.

S. B. 147

S. B. 157

S. B. 158

S. B. 260

S. B. 387

S. B. 389

S. B. 476

S. B. 532

S. B. 603

S. B. 604
S. B. 630
S. B. 631
S. B. 664
S. B. 665
S. B. 861
S. B. 875
S. B. 876
S. B. 877
S. B. 878
S. B. 879
S. B. 880
S. B. 898
S. B. 926
S. B. 928
S. B. 931
S. B. 934
S. B. 935
S. B. 936
S. B. 937
S. B. 943
S. B. 1021
S. B. 1033
S. B. 1048
S. B. 1106
S. B. 1110
S. B. 1115
S. J. R. 131
S. J. R. 134
S. B. 707
S. B. 190
S. B. 192
S. B. 446
S. B. 701
S. J. R. 137

Delivered to the Governor, September 30, 1975, at 3:40 P.M.

S. B. 932

Delivered to the Secretary of State, September 30, 1975, at 3:45 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 5:40 P.M., Mr. Fine moved that the Senate adjourn until Thursday, October 2, 1975, at 10 o'clock A.M. Mr. St. John offered a substitute motion that the Senate take a recess until 7:30 this evening. On motion of Mr. Fine, the motion to recess was laid on the table.

The question was then on the motion of Mr. Fine, which was adopted, and at 5:43 P.M., in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Thursday, October 2, 1975, at 10 o'clock A.M.

Yeas 14; Nays 11.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flipppo, Givhan, Jones, King, Littleton, McDonald (S), Powell, Roberts, Wilson.

— 14

Nays:

Messrs. Ellis, Little, McDonald (A), McMillan, Noonan, Perloff, Perry, St. John, Stewart, Vacca, Waldrop.

— 11

THIRTY-FIFTH LEGISLATIVE DAY

THURSDAY, OCTOBER 2, 1975

The Senate met pursuant to adjournment, Lieutenant Governor Beasley presiding.

PRAYER

The Session was opened with prayer by the Reverend Douglas Williams, Pastor, Asbury United Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (A),

McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—34

JOURNAL

On motion of Mr. Littleton, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON RULES ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

E. C. FOSHEE,
Chairman.

COMMITTEE REPORT

On motion of Mr. Foshee, the foregoing report was concurred in and the Journal of the Senate for the Thirty-fourth Legislative Day was approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Littleton, leave of absence was granted Mr. Weaver for today.

REPORTS OF COMMITTEES

Mr. King, Chairman of the Standing Committee on Constitution and Elections, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (J), et al:

H. 1646. Relating to elections; amending the law relating thereto by amending, deleting, or adding sections as follows and divided into ten chapters;

Chapter 1—time of elections

Repeals sections 65 through 74 relating to officers to be elected at each general election and adds a new section establishing the date of the general election;

Chapter 2—new duties of the secretary of state

adds a new section that the secretary of state shall publish a handbook for election officials; and amends section 186 to provide that the secretary of state shall prescribe standard election forms;

Chapter 3—voting centers

amends section 84 to allow county governing bodies to establish voting centers at which voters may vote at any machine, providing for the number and selection of personnel at such centers and their duties, election procedure, and repealing inconsistent local acts;

amends section 120 so as not to conflict with voting center provisions regarding the number of election officials needed at the polls;

Chapter 4—voting machines

amends sections 91, 92, 94, 97, 101, 102, 112, 113 to prohibit the use of paper ballots after 1980 and to allow counties to choose either electro-mechanical voting machines or electronic voting systems; defining terms; establishing standards for such machines; abolishing referenda on the use of such machines; establishing preliminaries to opening the polls, the conduct of elections, and the closing of the polls when using either type of machine; and generally making provisions now regarding electro-mechanical machines applicable to electronic voting systems; and repealing inconsistent local acts;

repeals sections 93, 95, 96, 111, and Act 409, 1943 Regular Session;

amends section 103 to provide that election officials must attend training on voting machines only once each twelve months;

amends section 112 to allow voters waiting to vote at the close of the polls to vote;

adds a new section to require the probate judge to open voting machines to allow inspection thereof after the election;

repeals (effective 1980) sections 193, 194, 195, 196, 197, and Act 800, 1951 Regular Session;

amends section 198 to raise the compensation of election officials;

Chapter 5—voting hours

adds a new section to allow each county government to establish voting hours for the county; providing for notice of such hours; and repealing inconsistent local acts;

amends sections 131 and 132 to require election officials to come to polls one hour before polls open;

repeals section 172;

adds a new section to allow persons waiting to vote at the close of the polls to vote;

Chapter 6—placing names on ballot

amends section 145 to provide that party chairman must certify nominees to the probate judge 21 days prior to the election; to provide that independent candidates must qualify by petition before the date of the primary; to set the number of signatures needed on such petition; and to prohibit any primary candidate from running as an independent candidate for the same office;

repeals Act _____, 1967 Special Session;

Chapter 7—challenge oaths

amends sections 188 and 189 to simplify the challenge ballot oaths in conformity with present registration requirements;

Chapter 8—canvass procedures

amends section 197 to require returns to be made immediately upon completion of the count no later than 10 a.m. on the day following the election;

amends section 199 to require the board of election supervisors to canvass returns at noon on the day following the election;

amends section 200 to delete a reference to member of the house of representatives as county officers;

amends section 201 to require county canvass to be sent to the secretary of state immediately upon completion by certified mail and generally combining sections 202, 203, 205, and 212, which are repealed;

amends section 204 to change a reference from section 203 to section 201;

repeals sections 209, 210, 211, and 223;

Chapter 9—contests and challenges

amends sections 231, 236, 237, 238, 250, 252, and 253, repeals sections 239 through 248 and 254 through 267, and adds two new sections to unify the election contest procedures, to provide that a miscount or mistabulation of votes is a grounds of challenge, establishing the composition and venue of the special circuit court to hear contests, providing for the place of filing complaints, requiring a specification of the evidence, requiring and establishing the amount of security for costs, providing for appeals and costs of appeal;

adding new sections regarding contests of primary nominations and challenges to primary candidates; defining terms; setting the time for contests or challenges; who may file; with whom filed; by whom heard; contents of petition; procedure; appeal to the supreme court;

repeals section 368 and sections 373 through 392;

Chapter 10—Miscellaneous

repeals sections 136, 137, 138, 141, 220, 228, 229, 230, Act 154, 1961 Special Session and Act 105, 1965 Special Session;

amends sections 77 and 80 to allow the county governing body to change voting district lines at any regular meeting;

amends section 154 to establish a uniform order for listing offices on the ballot;

amends section 168 to require the probate judge to preserve certificates and petitions of nomination for one year;

amends section 170 to require only 105 paper ballots per 100 voters at each polling place;

amends section 227 to raise the compensation of presidential electors;

repealing inconsistent act; providing for an effective date; and providing for the severability of the act.

Mr. Owen, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Campbell and Manley (with notice and proof):

H. 118. Relating to Sumter County, authorizing the county commission to retain one-half of the fines received for violations resulting from state trooper arrests in that county, and providing such funds be credited to the county general fund.

By Messrs. Owens, Manley, McCorquodale, Merrill and LeFlore:

H. 200. To make an appropriation to the Governor's Mansion Advisory Board for the refurbishing and refurnishing of the Governor's Mansion, to provide that said appropriation may be spent either within or outside the provisions of the state purchasing act.

By Mr. Dial (with notice and proof):

H. 326. Relating to Clay County, authorizing the county commission to retain one-half of the fines received for violations resulting from state trooper arrests in that county, and providing such funds be credited to the county general fund.

By Mr. Waggoner:

H. 700. Relating to taxation; to amend Title 51, Section 2(1)(m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

By Messrs. Hines and Warren:

H. 758. To appropriate \$50,000.00 from the general fund in the state treasury to the general fund of Escambia County as reimbursement for costs incurred in the trial of state inmates in that county.

By Messrs. Plaster and Lockett (with notice and proof):

H. 1174. Relating to Autauga County; to provide further for the distribution of fines and forfeitures in certain cases.

By Mr. Rich (with notice and proof):

H. 1440. Relating to Cherokee County: To provide further for the distribution of fines in certain cases.

By Mr. Rich:

H. 1457. Exempting the Cherokee County and the Etowah County Rescue Squads from all state, county, and municipal taxes, licenses, fees and excises, under certain prescribed conditions.

By Messrs. Cates and Wyatt:

H. 1461. Relating to all counties having populations of not less than 13,000 nor more than 13,250, according to the most recent federal

decennial census; providing further for the distribution of fines and forfeitures from convictions in certain cases of traffic violations; validating, ratifying and confirming all prior deposits of such fines and forfeitures; repealing all conflicting laws and parts of laws, general, local, and special.

By Messrs. Rich, Taylor, Ford and Brindley:

H. 1583. Relating to all counties having a population of 90,000 to 100,000, in the most recent Federal Decennial census: To provide for the distribution of fines in certain cases.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Armstrong and Boles (with notice and proof) (With Amendment):

H. 1810. To amend Act No. 79 of the Special Session of the Legislature of Alabama of 1966, approved August 17, 1966, (Ala. Acts, 1966 Special Session, p. 106 et seq.) as heretofore amended providing in Jefferson County for the creation and maintenance of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes.

Mr. Gilmore, Chairman of the Standing Committee on Local Legislation No. 2, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Hall:

H. 1739. To authorize the county board of education in all counties having a population of 600,000 or more inhabitants according to the most recent federal decennial census to provide transportation for public school pupils, in grades one through twelve, who live less than two miles from the school they are attending if the local county or city superintendent certifies the routes are dangerous or hazardous.

By Mr. White:

H. 1962. Relating to counties having populations of not less than 600,000 inhabitants; to levy an additional license tax on cigarettes in such counties; to provide for the enforcement hereof, the collection of the tax and the disposition of the proceeds thereof; and to provide penalties for violation of the provisions of this act.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Johnson (With Amendment):

H. 1489. To amend a portion of Section 3, Act No. 1948, H. 1151, Acts of Alabama, 1971, Regular Session, page 3146, approved September 20, 1971.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lee, et al:

H. 645. To provide a system of permanent voter re-identification which shall have uniform statewide application; to require the registrars to record the fact that a voter presents himself to vote at each election and whenever a qualified voter fails to present himself at any election during a four year period, to suspend such voter's registration; to provide for the restoration after its suspension, of a voter's name to the list of registered voters; to amend Code of Alabama 1940, Title 17, Section 36, to conform to this act; and to repeal all laws general, local or special providing for a different manner of voter re-identification or in anywise conflicting herewith, including specifically certain acts enumerated in this act.

By Mr. Hines:

H. 34. To provide for the temporary release of certain persons convicted of a felony and sentenced to a term of confinement and treatment in a state correctional institution under the jurisdiction of the Board of Corrections to seek employment and a place of residence in the community where he will reside after release from his sentence.

By Messrs. Sasser and McCluskey:

H. 79. To amend Title 55, Section 488 (2), Code of Alabama 1940, so as to allow out-of-state travel for employees of institutions under control of the state board of education and employees of local boards of education without prior authorization by the governor, provided such travel shall have been authorized by the president of the institution or the local superintendent of education involved.

By Messrs. Kinsey, Sonnier, Hill, Jackson (F), Johnson, Warren, Glass and Folmar:

H. 281. To provide for a guaranteed minimum starting wage or salary for all state, county, municipal, or political subdivision law enforcement officers of this state and provide for the enforcement of the provisions of this act.

By Mr. Wyatt, et al:

H. 383. To provide that all contracts of insurance or policies of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services of Chiropractors.

By Messrs. Owens and Biddle:

H. 499. To authorize the Department of Public Safety to provide insurance coverage for reserve or auxiliary state troopers to the same extent as that provided for regular state troopers; to provide that costs of such insurance shall be paid by the Department of Public Safety in the manner provided by law; and to provide an effective date.

By Mr. LeFlore, et al:

H. 591. To further amend Sections 1 and 3 of Act No. 470, S. 182, 1969 Regular Session [Acts 1969, p. 912—now appearing in Code of

Alabama Recompiled 1958, Title 55, Section 488(1) and 488(3)], as amended, which Act relates to various expense allowances for state employees so as to provide for increases in subsistence and mileage allowances for such employees.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Coburn, et al (With Substitute):

H. 348. A Bill to be known as the "Deceptive Trades Practices and Consumer Protection Law;" defining certain words and phrases; creating an Office of Consumer Protection and delegating authority and prescribing responsibilities for that office; authorizing the Office of Consumer Protection and the Office of the Attorney General to receive Federal funding; delegating authority to and prescribing responsibilities for the Attorney General; establishing and prohibiting unlawful trade practices; providing for the promulgation and interpretation of rules and regulations; providing for exemptions from this Act; authorizing the Attorney General to restrain prohibited acts and to seek other relief; providing for the powers of receivership; providing for private actions; providing for assurances of voluntary compliance; authorizing the Attorney General to investigate for prohibited acts; issue subpoenas and hold hearings; providing for service and enforcement of investigative demands; providing penalties; providing for the jurisdiction of the Act; establishing a statute of limitations; and providing for conditional appropriations to the Office of Consumer Protection.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar to-wit:

By Mr. Hines:

H. 761. To amend Code of Alabama 1940, Title 15, Section 325 relative to place of confinement for persons sentenced to three years or less imprisonment.

By Mr. Callahan:

H. 818. To make an appropriation from the Special Educational Trust Fund for the relief of Harry V. Schmidt.

By Mr. Killian, et al:

H. 885. To provide that a \$2.00 license good for one day shall be required for hunting on a licensed game preserve within the state where only exotic or non-native game is being hunted.

By Mr. Morris:

H. 925. To appropriate a one-time grant in the amount of \$150,000 from the Special Educational Trust Fund to Alexander City Junior College to be used to provide a capital outlay purposes at Draper Correctional Center, Frank Lee Youth Center, and Julia Tutwiler Prison.

By Mr. Greer:

H. 996. To amend Sections 8, 10, 14, 18, 20, 21, and 22 of Act No.

576, Acts of Alabama 1959, page 1442, volume 2, as amended, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation and Natural Resources Department of this State; the enforcement of this act, duties of the commissioner of the State Department of Conservation and Natural Resources; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveryes; requiring accident reports to be filed with Conservation and Natural Resources Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Commissioner of Conservation and Natural Resources with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; to repeal all laws in conflict with the provisions of this Act."

By Messrs. Sonnier and Sandusky:

H. 1074. Relating to the regulation of the practice of podiatry in Alabama; to provide that all contracts of insurance or plans or agreements for health services issued or delivered in this State shall cover and include the services performed by podiatrists under this Act.

By Messrs. Sonnier and Sandusky:

H. 1075. Relating to the regulation of the practice of podiatry in Alabama; further amending certain definitions; amending the amounts of certain fees; amending the reciprocity requirements; to allow the board to set additional requirements for renewal of licenses; amending the procedures for the issuing of licenses; amending Section 1, 8, 10, 11, 15 and 17 of Act No. 741, S. 388, Regular Session of 1967 (Acts 1967, p. 1586).

By Mr. Johnstone, et al:

H. 1345. To provide for application for review of felony sentences of five or more years, except death sentences, by a panel of three circuit judges appointed from time to time by the President of the Circuit Judges Association.

By Mr. Crowe, et al:

H. 1567. To amend Section 259, subsection (d) of Section 262, Section 263, Section 272, Section 279, Section 283, Section 289, Section 293, Section 299, Section 312, all being of Chapter 5 Title 26, Code of Alabama 1940, as amended, Sections 7, 13, and 17 of Act No. 180, adopted at the 1951 Regular Session of the Legislature of Alabama, as amended, Sections 6, 12, and 16 of Act No. 521, adopted at the 1967 Regular Session of the Legislature of Alabama, as amended, and Sections 6, 12 and 16 of Act No. 668, adopted at the 1971 Regular Session of the Legislature of Alabama, as amended, relating to extraterritorial coverage of employees subject to the workmen's compensation laws of Alabama, providing compulsory coverage for employers who do not regularly employ less than three employees, extending immunity from suit by employees to other employees of the employer, to the employer's workmen's compensation insurance carrier and to certain persons or unions making safety

inspections, defining permanent total disability and extending benefits for permanent total disability for the duration of the disability, fixing the employer's and the second injury trust fund's liability in the event a second injury produces permanent total disability, permitting credit for the payment of benefits for temporary total disability against the compensation payable for permanent partial disability resulting from an unscheduled injury only, providing for vocational rehabilitation under certain circumstances, establishing the effect of the procurement of gainful employment on permanent total disability benefits, increasing the percentage of a decedent's employee's average weekly wages to which one dependent is entitled, fixing the minimum weekly benefit at 25% of the average weekly wage of the state as determined by the director of industrial relations and the maximum weekly benefit at 66-2/3% of such average weekly wage, and providing for certain periodic changes in the minimum and maximum weekly benefit and the total amount of compensation payable, eliminating any time or dollar limit for compensable medical expenses and giving an employee the right to reject the first two physicians selected by the employer, establishing the effect of the recovery of damages from a third party by an employee suffering a permanent total disability, permitting lump sum payments of compensation with commutation upon approval of the court and by agreement of the parties and amending the acts providing for compensation for occupational pneumoconiosis, occupational exposure to radiation, and certain occupational disease to make the amendments described above applicable to those acts, all relating to the statutory plan for the compensation of employees for job-related injuries and certain illnesses and diseases.

By Mr. Kelley:

H. 1628. To amend Section 4 of Act No. 712, H. 48, Acts of Alabama 1951 (Acts 1951, Vol. II, p. 1250) relating to tourist advertising, to permit the purchase of intrastate advertising of state-owned parks by bureau of publicity and information.

By Messrs. Falkenburg, Johnson, Roberts, Armstrong and Waggoner:

H. 1653. To provide for a treatment program for persons suffering from hemophilia and related diseases, and the administration therefor.

By Mr. Teague, et al:

H. 1698. To further provide for the education and training of deaf, blind and certain other persons and to further define the authority of the board of trustees of the Alabama Institute for Deaf and Blind.

By Mr. Naramore:

H. 1729. To amend the provisions of Act No. 763, H. 286, 1973 Regular Session, approved September 5, 1973, which provided a \$5.00 per day subsistence allowance for certain law enforcement officers, so as to extend the provisions of said Act to state law enforcement officers employed by the Revenue Department, Public Service Commission, Industrial Relations Department, Health Department and Insurance Department.

By Mr. Campbell:

H. 1804. This Act shall be known as the "Alabama Catfish

Marketing and Consumer Act of 1975": allow for the orderly marketing and easy consumer identification in the retail market place of catfish products produced or processed in the State of Alabama; and for related purposes.

By Messrs. Baker, Whatley and Higginbotham:

H. 1946. To name the state grain elevator at Phenix City, Alabama, the W. O. "Bill" Patterson Grain Elevator.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Sonnier, Malone, Kennedy, Sandusky, LeFlore and Cooper:

H. 356. To authorize the Sheriff of any county having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, to select and appoint a chief of the youth aid division, to provide for the appointment of the chief of the youth aid division, to provide for the salary of the chief of the youth aid division, and the method of payment of such salary.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendments, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kennedy (with notice and proof) (With Amendments):

H. 1243. Relating to Mobile County; providing for the reapportionment of the Mobile County Board of School Commissioners to consist of five members elected from the House Districts or portions thereof which are located within the boundaries of Mobile County; providing for election and length of term for the new commissioners.

Mr. Littleton, Chairman of the Standing Committee on Local Legislation No. 1, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Drake and Sparks (with notice and proof):

H. 1939. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

By Messrs. Ford, Taylor and Rich:

H. 1952. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested

and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or it otherwise becoming law.

By Mr. Owens (with notice and proof):

H. 1953. To require the City of Centreville in Bibb County to establish a personnel and merit system under the supervision of the State Personnel Department and to repeal all conflicting statutes.

By Messrs. Taylor, Ford and Rich:

H. 1954. Relating to counties having a population of not less than 90,000, nor more than 100,000, according to the most recent federal decennial census, to provide for the constable of the district court in such counties and to set the compensation and expenses, duties, and provisions for election of same.

By Mr. Smith (M) (with notice and proof):

H. 1955. To alter or rearrange the boundary lines of the Town of Wedowee, Randolph County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Randolph County, Alabama.

By Mr. Kelley:

H. 1956. Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to prohibit the use of steel traps for the trapping of foxes prescribing a penalty for violation of this Act.

By Mr. McCluskey:

H. 1958. Relating to all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; providing for the sheriff's expense allowance not to exceed \$8,000.00 per annum for the purchase of equipment and uniforms for sheriff and employees of sheriff's department in such counties.

By Mr. McMillan:

H. 1965. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census; providing for an increase in the annual expense allowance for the sheriff of such counties.

By Mr. McMillan:

H. 1966. Relating to counties having a population of not less than 57,000 nor more than 61,000; to provide an additional expense allowance for the probate judge.

By Mr. McMillan:

H. 1967. Relating to counties having a population of not less than 57,000 nor more than 61,000 according to the last or any subsequent federal decennial census; to provide for an additional expense allowance for the tax collector and the tax assessor.

By Mr. McMillan:

H. 1968. To provide additional compensation for members of the jury commission in all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census.

By Mr. McMillan:

H. 1969. Relating to all counties having populations of not less than 57,000 nor more than 61,000; providing further for the compensation and expenses of the circuit clerk and register in such counties.

By Mr. Reed:

H. 1949. To provide an additional expense allowance for the chairman and members of the county commission of all counties having a population of not less than 11,500 nor more than 12,500 according to the most recent federal decennial census.

RESOLUTION

Mr. Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 143. COMMENDING JAMES ALLEN (BEAU) JOHNSON, JR., FOR CONTINUING HIS EDUCATION WHILE SERVING IN THE U.S. AIR FORCE.

WHEREAS, Beau Johnson has just returned from Karamursel, Turkey where he served as an Emergency Medical Technician for one and one-half years; and

WHEREAS, Beau Johnson attended the University of Maryland and is now at Keesler Air Force Base in Mississippi and is presently enrolled in the University of Mississippi; and

WHEREAS, Beau Johnson received his high school academic training at Meadow Christian High in Selma; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend Beau Johnson for his achievements.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to his parents, Mrs. Mary E. Johnson in Montgomery and Mr. James A. Johnson in Selma.

On motion of Mr. Mims, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Wyatt:

H. J. R. 400. CONGRATULATING THOMAS B. AND MILDRED HILL ON THEIR FIFTIETH WEDDING ANNIVERSARY.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mims, the Rules were suspended and the Resolution, H. J. R. 400, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolutions and sends same herewith to the Senate for its consideration:

By Messrs. Turnham, Whatley, Higginbotham and McNair:

H. J. R. 403. COMMENDING CLEVELAND L. ADAMS.

Also:

By Mr. Coburn:

H. J. R. 404. COMMENDING FORMER ALABAMIAN JOHN HENRY FAULK UPON HIS NEW BOOK, "FEAR ON TRIAL".

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mims, the Rules were suspended and the Resolutions, H. J. R.'s 403 and 404, set out in the foregoing Message from the House, were concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Warren:

H. J. R. 406. COMMENDING VICTORIA POPE AT THE END OF HER REIGN AS THE NATIONAL PRESIDENT OF THE FUTURE HOMEMAKERS OF AMERICA.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mims, the Rules were suspended and the Resolution, H. J. R. 406, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF CONFERENCE COMMITTEE
ON S. B. 441

We, your Committee on Conference appointed to reconcile the difference between the two Houses concerning S. B. 441 beg leave to report as follows:

That the Senate of Alabama and the House of Representatives concur in and adopt the following:

That in Section 8 paragraph (e) be put back in the bill as follows:

(e) Character. The applicant shall be a person of good moral character and reputation. His application shall show that he has never been convicted of a felony or a misdemeanor involving either force, violence or moral turpitude, and shall be accompanied by letters from three qualified voters of the area in which the applicant proposes to serve as a firefighter attesting his good reputation.

Conferees of the House:

BOB GLASS (Rep.),

KERRY RICH (Rep.),

ED ROBERTSON (Rep.),

SENATOR BURKE BANK,

SENATOR BINGHAM EDWARDS,

SENATOR MASTON MIMS,

CONFERENCE REPORT

On motion of Mr. Mims, the Senate concurred in and adopted the foregoing Report of the Committee on Conference appointed to reconcile the differences of the two Houses on the House amendment to the Bill:

S. 441. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1975-76 and 1976-77; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mitchell, Noonan, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop.

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 299. To amend and re-enact sub-section (a) of Section 34, of Title 36, Code of Alabama, 1940, as amended, by adding thereto a new sub-section, relating to tire equipment on motor vehicles, to prohibit the operation on the highways of the state any vehicle with unsafe tires, to provide tire conditions which are unsafe and to prohibit the sale of unsafe tires.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vacca, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 299, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 299

Amend S. B. 299 at the end of Section 2, subsection (1) on page 2, line 9: change the period to a comma and add the following words immediately following the comma, "provided that the prohibitions of this act shall not apply to the tires upon the dead axle of a vehicle equipped with such a dead axle."

AMENDMENT TO S. B. 299

Amend S. B. 299, Line 23, Page 1, by inserting the following after the word state, except for those tires on the dead axle of a vehicle with a dead axle.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

RESOLUTION

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 151. EXPRESSING APPRECIATION TO THE MEMBERS OF THE MEDICAL ASSOCIATION OF THE STATE OF ALABAMA WHO PARTICIPATED IN THE "PHYSICIAN FOR A DAY" PROGRAM.

WHEREAS, The Medical Association of the State of Alabama has coordinated the "Physician for a Day" program during this Session of the

Legislature, and has furnished the Legislature with the voluntary services of its member physicians on each legislative day and when numerous committee meetings were scheduled, and

WHEREAS, the presence of these outstanding physicians from all over Alabama, at great personal and professional sacrifice to themselves, was a comfort and reassurance to the members of the Legislature, now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature does now convey its deep appreciation to the members of the Medical Association of the State of Alabama who participated in the "Physician for a Day" program for this unselfish act of public service.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to the Medical Association of the State of Alabama for distribution to these volunteer physicians.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following named persons as members of the Alabama Mental Health Board:

Willard Smith—Eufaula, Alabama—From the 3rd Congressional District—reappointment for the term expiring September 30, 1981.

Carl Boley—Sheffield, Alabama—From the 8th Congressional District—reappointment for the term expiring September 30, 1980.

Dr. J. Garber Galbraith—Birmingham, Alabama—From the 6th Congressional District—reappointment for the term expiring September 30, 1980.

James Geer—Tuscaloosa, Alabama—From the 5th Congressional District—reappointment for the term expiring September 30, 1981.

As these appointments must be confirmed by your Body, I am transmitting them to you for such action as you may deem right and proper.

Respectfully,
GEORGE C. WALLACE,
Governor.

DONE THIS 25 DAY OF SEPTEMBER, 1975.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to appointments to the Alabama Mental Health Board was read and referred to the Standing Committee on Rules.

RESOLUTION

Mr. Mitchell offered the following Senate Joint Resolution, to-wit:

S. J. R. 152. NAMING BUTLER COUNTY ROAD 5 THE "HANK WILLIAMS MEMORIAL DRIVE."

WHEREAS, Hank Williams' great contributions live on in the world of country music; and

WHEREAS, this great artist was born near Grace, Alabama in Butler County; and

WHEREAS, the residents of Butler County wish to honor the late Hank Williams; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Butler County Road 5 be named the "Hank Williams Memorial Drive."

RESOLVED FURTHER, That the State Highway Department shall cause appropriate signs and markers to be erected along said highway, particularly to erect such signs near the intersection of Butler County Road 5 and Interstate 65 in Butler County.

On motion of Mr. Mitchell, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT FROM RULES

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, with amendment, to-wit:

H. J. R. 368. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ADOPTING A REVISED CRIMINAL CODE FOR THE STATE OF ALABAMA.

The Standing Committee on Rules reported the following amendment to the Resolution, H. J. R. 368, to-wit:

COMMITTEE AMENDMENT TO H. J. R. 368

Amend H. J. R. 368 as follows:

On Page 1, line 23, strike the following sentence: "The committee shall select its own chairman and vice chairman from among its membership." and insert in lieu thereof the following:

"The chairman of the committee shall be the chairman of the standing committee of the Senate Judiciary Committee and the vice chairman shall be the chairman of the standing committee of the House Judiciary Committee."

Which was adopted.

And on motion of Mr. Foshee, said Resolution, as thus amended, was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint

Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 338. Requesting the Jefferson County Commission and the Water Board to review and revise the rates.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 376. Thanking The University of Alabama Center for business and economic research, The Alabama League of Municipalities, The Alabama Development Office, and The Alabama State Chamber of Commerce for research study on characteristics of House and Senate Districts.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 373. Urging The Board of Corrections to consider a plan of reorganization conducive to the rehabilitation of promising candidates.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 377. CREATING THE COUNCIL OF ALABAMA ARCHAEOLOGY AND THE ALABAMA ARCHAEOLOGICAL ADVISORY COMMITTEE TO WORK WITH AND ADVISE THE ALABAMA HISTORICAL COMMISSION.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 330. Designating The Red Mountain Expressway as The Elton B. Stephens-Red Mountain Expressway.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 370. Creating the State Fort and Historic Trail Council.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

Mr. Foshee, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following House Joint Resolution and ordered same returned to the Seante with a favorable report, to-wit:

H. J. R. 102. Creating the Historic Resources Adaptors Council.

On motion of Mr. Foshee, said Resolution was then concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in the Report of the Committee of Conference on the bill, H. B. 786,

H. 786. To provide that the employees of any city having a population of not less than 175,000 nor more than 275,000 according to the most recent federal decennial census, may by election designate a bargaining agent to represent them in respect to the wages the city employing them shall pay them and in respect to other conditions of employment; to provide for calling and conducting elections to certify a bargaining agent and elections to decertify a bargaining agent; to authorize the director of labor of the State of Alabama to establish rules and regulations governing the call of, notice of, and conduct of such elections; to provide for collective bargaining proceedings to be instituted by the bargaining agent or the officer or body empowered to establish wages for the employees; to provide for compulsory arbitration; to provide for the appointment of arbitrators and define their jurisdiction and authority; to provide that the arbitrators' decisions shall be binding upon all parties; to provide for the enforcement of such decisions by the circuit court; to provide that it shall be unlawful for an employee to strike or engage in any work stoppage or slowdown; and that it shall be unlawful for any bargaining agent, or any officer or body empowered to establish wages for employees to fail to bargain in good faith, in accordance with this act, or to fail to carry out any decision rendered by the arbitrators; to provide penalties for any person violating this act; and to repeal all laws or parts of laws, whether general, special or local, in conflict with this act.

Said conference report being in words and figures to-wit:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 786

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, H. B. 786, have met and considered the matter referred and beg leave to report as follows:

That a majority of the conferees from each House are unable to agree.

We recommend that this Committee be discharged and request that another committee be appointed.

MIKE PERLOFF,
L. W. NOONAN,
BILL ROBERTS,
Senate Conferees
KEN MALONE,
GARY COOPER,
H. L. CALLAHAN,
House Conferees

And in accordance with the provisions of the report said Conference Committee has been discharged and a new Conference Committee requested.

The Speaker of the House has named as a new Committee of Conference on the part of the House Messrs. Malone, Callahan and Sandusky.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Perloff, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 786, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And, in accordance with the provisions of said Conference Report, the Senate conferees were discharged, and the President and Presiding Officer appointed as new conferees on the part of the Senate Messrs. Roberts, Noonan and Perloff.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 711. Providing for the establishment of an Alabama Criminal Justice Information Center Commission in order to establish a statewide criminal justice information system; providing for the reporting of arrests and the disposition of persons charged by the state, county and municipal criminal justice agencies; providing for intra and interstate, as well as national and international cooperation with other criminal justice agencies; and providing penalties for violations of provisions of this Act.

Also:

S. J. R. 98. A JOINT LEGISLATIVE COMMITTEE TO STUDY THE FEASIBILITY OF A STATE-WIDE GROUP COMPRISED OF STATE EMPLOYEES AND EDUCATORS FOR HOSPITAL-MEDICAL INSURANCE.

Also:

S. 218. To amend Section 2 of Act No. 107, S. 156, of the Regular Session of 1947, [now appearing in the Code of Alabama 1940, Recompiled 1958 in Title 13, Section 187 (3)] entitled An Act to authorize circuit judges of judicial circuits composed of one county having but one circuit judge to appoint regular bailiffs and fix their terms of office, so as to raise the amount paid bailiffs to an amount not to exceed six hundred dollars (\$600.00) per month.

Also:

S. 290. To amend Section 2 of Act No. 673, S. 800, Regular Session 1969 (Acts of Alabama 1969, p. 1206) relating to the office of sheriff of Marshall County so as to further provide for the number of employees and their compensation.

Also:

S. 292. Relating to Etowah County; to better secure the administration of the financial affairs of such county by vesting in the chairman and members of the county commission a direct and effective financial supervision over all county offices, departments, boards and agencies; to provide for the annual initiation and preparation of a balanced budget of all revenue and expenditures for the County General Fund, Road and Bridge Fund, Gasoline Fund, Public Highway and Traffic Fund, and other funds, including a tentative budget and hearings on the same before adoption of a final budget; to prohibit expenditures in excess of budgeted amounts, and to provide personal civil liability for any department head or other official in charge who violates such prohibition; to provide for proration to prevent an overdraft or deficit; to provide for lapsing of sums budgeted but not expended; to provide that the county commission shall have authority to hire a central purchasing agent in order to make possible the most efficient and economical means of expending county funds; to regulate the office of central purchasing agent and to provide penalties for violations to set the effective date of this act and to repeal conflicting laws.

Also:

S. 535. Providing a method of issuing motor vehicle tags by mail in Marshall County by the judge of probate.

Also:

S. 624. To authorize the county commission of Chambers County to

provide for the relief of Wilma M. Atkinson because of property damage sustained to her automobile.

Also:

S. 754. To repeal Act No. 147, H. 14, Third Special Session of 1971 (Acts of 1971, p. 4392), entitled, "An Act Relating to counties having a population of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census; requiring the rotation of duties among the county commissioners elected in each such county."

Also:

S. 773. To provide for additional compensation and method of payment of the Register of the Circuit Court of Marion County, Alabama, in Equity.

Also:

S. 794. Relating to the City of Huntsville; to provide for the election of a president and vice-president of the city board of education.

Also:

S. 817. Relating to Choctaw County; regulating and providing for the payment of compensation of election officers.

Also:

S. 820. Relating to Choctaw County; to provide that the county commission pay such a supplement to the pay of jurors so as to make their total pay \$20 per day.

Also:

S. 850. To authorize certain savings and loan associations to establish a branch or branches in certain parts of Chambers County, Alabama.

Also:

S. 891. Relating to taxation, to provide an exemption for Ad-valorem Taxes for personal property held by a licensed public warehouseman for the account of the manufacturer, compounder or processor to be distributed on his orders or for him by the warehouseman.

Also:

S. 907. To authorize and provide for the establishment, operation and financing of a Public Defender Office in all counties having a population of not less than 110,000 nor more than 150,000 inhabitants, according to the last or any subsequent federal decennial census, for the representation and defense of persons accused of crime who are declared indigent by the courts; to establish a Public Defender Commission to operate said office; to define the powers, duties of and limitations upon said Commission and the Public Defender; to provide for the selection and compensation of the Public Defender and for the employment and compensation of the Assistant Public Defenders and the personnel of said office, and for the expenses of said office; to provide for the resignation and removal of the Public Defender and personnel of the Public Defender Office; to provide for the taxing and collecting of additional court costs in certain courts in said counties for such purpose and for the expenditure

thereof; to provide for continued opportunity for other lawyers to be appointed to represent such indigent persons accused of crime; to provide for the pro-rata return of any excess money in the Public Defender Fund to the counties and Municipal bodies from which received.

Also:

S. 929. Relating to the office of sheriff of Chilton County; providing further for the appointment, number, duties and compensation of deputies; providing for the furnishing of quarters, equipment and clerical help; providing for an expense allowance for the sheriff; and repealing Act No. 340, H. 981, 1973 Regular Session, (1973 Acts, p. 480) and other conflicting laws.

Also:

S. 982. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) as amended, which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices, so as to increase the salary of certain officers.

Also:

S. 1022. Relating to Tuscaloosa County, to provide further for the compensation of members of boards of registrars in such counties.

Also:

S. 1042. Relating to the governing body of Baldwin County, amending Section 1 of Act No. 239, H. 597, Regular Session 1931 (Local Acts of 1931, p. 100), as amended, which act creates the county commission of Baldwin County in lieu of the board of revenue of said county; so as to provide further for the rearrangement and redivision of the commissioners' districts.

Also:

S. 1066. To authorize the Register of the Circuit Court in all counties having populations of not less than 23,900 nor more than 24,450 to hire a clerical assistant, to set the compensation of such assistant, and to provide that the salary of such assistant be paid from the general funds of such counties.

Also:

S. 1077. To provide for the election of members of the county board of education of Chambers County, Alabama; to define the school districts from which the members of the county board of education are elected.

Also:

S. 1131. Relating to Crenshaw County; to provide an additional expense allowance to the county solicitor.

Also:

S. 1132. Relating to Crenshaw County; to provide for the county solicitor's salary.

Also:

S. 1142. Relating to counties with a population of not less than

23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to allow the collection of a solicitor's fee by the county in all appropriate cases of the county court whether or not the district attorney is present at the hearing of the case.

Also:

S. 1143. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census, to provide that the sheriff shall be entitled to the allowance payable by the state for feeding prisoners; to provide that the provisions of this Act shall be retroactive to January 18, 1971.

Also:

S. 1149. Relating to the thirty-fourth judicial circuit of Alabama, to provide for an investigator, furnished with an automobile and other equipment necessary for the performance of investigative duties; and to provide for a secretarial assistant for the office of district attorney of said judicial circuit.

Also:

S. 1159. Relating to all counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent or any subsequent federal decennial census; to provide that any probate judge who has served 15 or more years may elect to assume certain additional duties for extra compensation upon termination of office or retirement.

Also:

S. 1161. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide for an additional expense allowance for the court reporter of the circuit court of said counties.

Also:

S. 1170. Relating to all cities having a population of 7,400 to 7,600 inhabitants, according to the most recent Federal Decennial Census; to provide that all city boards of education in such cities shall have the power to borrow against revenue derived from the sale of malt or brewed beverages for capital outlay purposes; to provide for the allocation of such revenues; to provide in whom the power to secure loans shall be invested and the procedure to follow; to provide for the payment of any outstanding indebtedness should the voters of any such cities, at any time in the future, vote to prohibit legal sales of alcoholic beverages; to provide that all laws in conflict are hereby repealed; and its becoming effective upon its signing by the Governor or it's otherwise becoming law.

Also:

S. 1176. Relating to counties having a population of not less than 23,900 nor more than 24,450 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for certain education officials in such counties.

Also:

S. 1177. To provide for the City of Oxford in Calhoun County a civil

service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

S. 1184. Relating to all counties having a population of not less than 23,900 nor more than 24,450; providing for an additional expense allowance for all sheriffs to be paid by the county governing bodies of such counties.

Also:

S. 1185. To amend Act No. 324, H. 784, Regular Session of 1965 (Acts 1965 Regular Session, p. 443), which Act establishes a merit system for the City of Decatur, amending Section 15 of said Act so as to provide for leave of absence for employees to seek election to public office in Morgan County, and amending Section 21 of said Act so as to limit the prohibited political activities which city employees can engage in to such activities in Morgan County.

Also:

S. 1189. Relating to Morgan County; to alter, rearrange and extend the boundary lines and corporate limits of the Town of Flint.

Also:

S. 1190. To repeal Act No. 829, H. B. 1454, Regular Session 1973, (Acts 1973, p. 1325), entitled, "An Act To authorize savings and loan associations to open, establish, operate and maintain branch offices in counties having a population of not less than fifty-three (53,000) nor more than fifty-five (55,000) inhabitants according to the last or any subsequent federal decennial census."

Also:

S. 1191. Relating to Marshall County; authorizing savings and loan associations to open, establish, operate and maintain branch offices.

Also:

S. 1192. To repeal Act No. 1632, H. B. 2379, Regular Session 1971, (Acts 1971, p. 2791), entitled, "An Act To regulate and prescribe the qualifications of persons engaging in the Bail Bond business in counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1193. Relating to Marshall County; regulating and prescribing the qualifications of persons engaging in the Bail Bond business.

Also:

S. 1194. To repeal Act No. 114, H. B. 159, Special Session 1962 (Acts 1962, p. 148), entitled, "An Act To provide for the compensation and expense allowance of members of the county board of education in all counties having populations of not less than 46,600 nor more than 49,050 according to the 1960 or any subsequent federal decennial census; providing for further compensation for certain other services performed for the school system in any county to which this Act applies in addition to ser-

vices and duties ordinarily and customarily rendered by board members in such counties; providing for reimbursements for reasonable expenses incurred in performance of such extraordinary services; providing for the time that such increase in compensation shall become effective; and providing penalties for violation of the terms of this Act," and all acts amendatory thereof.

Also:

S. 1195. To repeal Act No. 1340, H. B. 2157, Regular Session 1971, (Acts 1971, p. 2288), entitled, "An Act To authorize the governing bodies of all counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars."

Also:

S. 1196. Relating to Marshall County; authorizing the county governing body to expend funds to furnish office space, equipment, supplies and clerical assistance for the board of registrars; and providing for the effective date of its provisions.

Also:

S. 1197. To repeal Act No. 1336, H. B. 2153, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; providing that the jury commission and board of registrars for said counties be allowed 10 extra authorized meeting days each year, and to provide further for an expense allowance for the members of said bodies."

Also:

S. 1198. Relating to Marshall County; providing that the jury commission and board of registrars be allowed 10 extra authorized meeting days each year and providing further for an expense allowance for the members of said bodies.

Also:

S. 1199. To repeal Act No. 1636, H. B. 2383, Regular Session 1971, (Acts 1971, p. 2793), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide further for clerk hire allowances for certain county officers, repealing conflicting laws."

Also:

S. 1200. Relating to Marshall County; providing further for clerk-hire allowances for certain county officers.

Also:

S. 1202. To repeal Act No. 110, H. B. 151, Third Special Session 1971, (Acts 1971, p. 4334), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide additional compensation, payable from the county funds, for the register of the county court in any

such county; and providing that provisions of this Act shall have retroactive effect to September 1, 1971."

Also:

S. 1203. Relating to Marshall County; providing additional compensation, payable from county funds, to the register of the circuit court for serving as register of the county court.

Also:

S. 1204. To repeal Act No. 157, H. B. 173, Third Special Session 1971, (Acts 1971, p. 4401), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000, according to the most decent (sic) federal decennial census; to provide compensation for the court reporter of the county court in such counties."

Also:

S. 1205. Relating to Marshall County; providing additional compensation for the court reporter of the county court.

Also:

S. 1206. To repeal Act No. 1648, H. B. 2395, Regular Session 1971, (Acts 1971, p. 2800), entitled, "An Act Relating to all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to provide further for the expense allowances of the chairman and members of the county governing body."

Also:

S. 1207. Relating to Marshall County; providing further for the expense allowances of the chairman and members of the county governing body.

Also:

S. 1208. To repeal Act No. 1351, H. B. 2168, Regular Session 1971, (Acts 1971, p. 2296), entitled, "An Act Providing additional allowances for clerk hire fund for the office of probate in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1209. To repeal Act No. 1114, S. B. 943, Regular Session 1973, (Acts 1973, p. 1876), entitled, "An Act relating to counties having a population of not less than 53,000 nor more than 55,000; to provide an additional expense allowance for the probate judge.

Also:

S. 1210. To repeal Act No. 277, S. B. 171, Third Special Session 1971, (Acts 1971, p. 4553), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the probate judge of said counties."

Also:

S. 1211. Relating to Marshall County; providing an additional expense allowance for the probate judge.

Also:

S. 1212. To repeal Act No. 1640, H. B. 2387, Regular Session 1971, (Acts 1971, p. 2795), entitled, "An Act To provide for additional supplemental salary to be paid to circuit judges of the Twenty-seventh Judicial Circuit; and to fix the amount and method of payment thereof."

Also:

S. 1213. Relating to Marshall County; providing a supplemental salary to the circuit judges of the judicial circuit having jurisdiction in said county.

Also:

S. 1214. To repeal Act No. 1637, H. B. 2384, Regular Session 1971 (Acts 1971, p. 2794), entitled, "An Act To provide for the compensation of the register of the circuit court of any county having a population of not less than 53,000 nor more than 55,000 according to the last or any subsequent federal decennial census; to repeal conflicting general, local, or special laws."

Also:

S. 1215. Relating to Marshall County; providing for the compensation of the register of the circuit court.

Also:

S. 1216. To repeal Act No. 1337, H. B. 2154, Regular Session 1971 (Acts 1971, p. 2286), entitled "An Act To increase the amount of sick leave with pay allowed school bus drivers in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1217. Relating to Marshall County; to regulate the amount of sick leave with pay allowed certain school bus drivers.

Also:

S. 1218. To repeal Act No. 1355, H. B. 2172, Regular Session 1971, (Acts 1971, p. 2298), entitled "An Act To regulate further the feeding of prisoners in jail in all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1219. To repeal Act No. 2132, H. B. 2578, Regular Session 1971, (Acts 1971, p. 3421), entitled "An Act Relating to all counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; to authorize the employment of two additional deputy sheriffs and to set salaries therefor, and to increase the salaries of the chief deputy sheriff and all deputies employed or authorized to be employed at the effective date of this Act."

Also:

S. 1220. To repeal Act No. 204, H. B. 883, Regular Session 1973, (Acts 1973, p. 238), entitled, "An Act Relating to the office of the Sheriff in

all counties having a population of not less than 53,000 nor more than 55,000 inhabitants, according to the most recent federal decennial census; to provide for the number of jailers and an increase in the salary of the jailers and to further provide for an increase in the number of clerks in the Sheriff's office and their salary."

Also:

S. 1221. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff's deputies and other employees and providing for the manner of their payment; authorizing the sheriff to receive the allowances prescribed by law for feeding prisoners in jail and requiring him to make monthly statements relative thereto; and repealing conflicting laws, specifically Act No. 673, S. 800, Regular Session 1969 (Acts 1969, p. 1206).

Also:

S. 1222. To repeal Act No. 1349, H. B. 2166, Regular Session 1971, (Acts 1971, p. 2294), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; fixing the fee for the issuance of pistol permits by the Sheriff, providing for the deposit of such fees in a Sheriff's Fund, providing for the use of such fund, and repealing conflicting laws."

Also:

S. 1223. Relating to Marshall County; fixing the fee for the issuance of a pistol permit by the sheriff and providing for the deposit of such fees in a sheriff's fund.

Also:

S. 1224. To repeal Act No. 1338, H. B. 2155, Regular Session 1971 (Acts 1971, p. 2287), entitled, "An Act Authorizing counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census to provide the County Superintendent of Education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer."

Also:

S. 1225. Relating to Marshall County; providing the county superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided such officer.

Also:

S. 1226. To repeal Act No. 1353, H. B. 2170, Regular Session 1971, (Acts 1971, p. 2297), entitled, "An Act Providing additional expense allowances for the tax assessor of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1227. To repeal Act No. 1347, H. B. 2164, Regular Session 1971, (Acts 1971, p. 2293), entitled, "An Act Providing additional expense allowances for the tax collector of all counties having a population of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census."

Also:

S. 1228. To repeal Act No. 1357, H. B. 2174, Regular Session 1971 (Acts 1971, p. 2299), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census; authorizing the county governing bodies of said counties to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county."

Also:

S. 1229. Relating to Marshall County; authorizing the county governing body to contribute county funds for the use of any non-profit volunteer rescue squad operating within said county.

Also:

S. 1230. To repeal Act No. 963, H. B. 2044, Regular Session 1973 (Acts 1973, p. 1472), entitled "An Act Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census, providing an annual expense allowance for the circuit clerks of such counties in lieu of and superseding all existing travel or other expense allowances heretofore prescribed by law for such officials."

Also:

S. 1231. To repeal Act No. 1048, S. B. 877, Regular Session 1973 (Acts 1973, p. 1660), entitled, "An Act Relating to counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the last federal decennial census; to require the use of voting machines at all polling places; to allow the designation of voting places; to permit electors to register votes on any voting machine at the designated voting place; to provide for employment of a custodian of voting machines, how appointed, qualifications, salary, bond; to allow candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; candidates to have right to demand in writing of body in charge of ballot boxes to break seals for recanvass of votes in voting machines."

Also:

S. 1232. Relating to Marshall County; requiring the use of voting machines at all polling places; allowing the designation of polling places; permitting electors to register votes on any voting machine at the designated voting place; providing for employment of a custodian of voting machines, the procedure for his appointment, salary and bond; allowing candidates in an election the right to designate a representative to be present at the opening of each voting machine for tabulation of results; and allowing candidates the right to demand in writing to the body in charge of ballot boxes to break seals for recanvass of votes in voting machine.

Also:

S. 1233. To repeal Act No. 862, H. B. 1189, Regular Session 1969 (Acts 1969, p. 1570), entitled "An Act To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of

1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation."

Also:

S. 1234. To authorize the sheriff of Marshall County to make certain expenditures without approval of the county commission and to prescribe regulations relative to such expenditures.

Also:

S. 1235. Relating to Marshall County; fixing the compensation of the Judge of the County Court.

Also:

S. 1236. To provide for an increase of compensation to be paid by Marshall County for the Court Reporters of the 27th Judicial Circuit.

Also:

S. 209. To authorize the governing body of any county or the governing body of any municipality within the county to establish within the county or within the municipality ambulance service on a non-profit basis; to authorize the county to unite with any municipality within the county or two or more municipalities within the county, to unite with each other or together with the county, in the establishment of such ambulance service, making such service common for the use of the county or participating municipality or municipalities, and to authorize the providing of such service by contract; to authorize appropriations of public funds for such service by the county or any municipality; to authorize the charging of limited fees for such ambulance service.

Also:

S. 348. To provide that in all contracts for public improvements awarded by the State or by any department, agency, board, commission, authority or political subdivision thereof, including any municipality, county and any board, commission or agency of such municipality or county, the contractor may, from time to time withdraw the whole or any part of the amounts retained from payments due the contractor under the terms and conditions of such contract by depositing security in an amount at least equal to the amount of retainage withdrawn.

Also:

S. 350. To amend Section 11 of Act No. 492 of the General Acts of the Regular Session of the Alabama Legislature of 1947 so as to provide that after completion of 50% of the contract no additional retainage will be withheld.

Also:

S. 733. Relating to employees of the Board of Corrections; providing that the rules and regulations of the State Personnel Department shall not be applicable to the appointment, tenure or compensation of physicians, surgeons, psychiatrists, psychologists, dentists and allied professional supportive personnel.

Also:

S. 1201. To repeal Act No. 1644, H. B. 2391, Regular Session 1971, (Acts 1971, p. 2798), entitled, "An Act To increase the compensation of the judge of county court in counties having a population of not less than 53,000 nor more than 55,000 based on the last federal decennial census."

Also:

S. 465. To amend Section 1 of Act No. 821, H. 1336 of the Regular Session of 1971 relating to county boards of education in counties having a population of not less than 90,000 nor more than 100,000 according to the most recent or any subsequent federal decennial census, so as to require any such boards of education to have regular scheduled meetings on the first Tuesday after the first Monday of each month, and at such other times as the board deems to be in the best interest of public education.

Also:

S. 533. To authorize each municipality in Alabama to convey, without an election, and with or without consideration, its waterworks system, its sanitary sewer system, or either thereof, or any part of either thereof, to any other municipality in the state, and to make agreements with the respect to such matters.

Also:

S. 567. To prescribe means, in addition to the giving of bail bonds, by which a person charged with an offense in counties having populations of not less than 115,000 nor more than 150,000, according to the most recent Federal Decennial census, regardless of his financial or social status, may give security for appearance in order to secure his release instead of being needlessly detained pending his appearance to answer charges, to testify, or pending appeal, when detention serves neither the ends of justice nor the public interest. And to provide that it shall be the duties of such judicial officers as hereinafter defined to approve said release and to impose such hereinafter described conditions of release as shall be deemed necessary by said judicial officers. In the event said judicial officer shall deem it necessary to impose the condition of a secured appearance bond, said judicial officer shall have the authority to set such bonds and to approve or disapprove any such bonds imposed as a condition of release.

Also:

S. J. R. 130. Creating an Interim Committee on Finance and Taxation.

Also:

S. J. R. 138. Wishing Grace Thomas a speedy recovery.

Also:

S. J. R. 139. Mourning the death of Mrs. Nona S. Hill.

Also:

S. J. R. 142. Honoring James V. "Jake" Jordan upon his retirement.

Also:

S. J. R. 145. Commending former Alabamian John Henry Faulk.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Gafford:

H. J. R. 399. NAMING ACT NO. 524, S. 185, PROVIDING FOR SEMI-PERMANENT LICENSE PLATES, THE "McMILLAN-HINES-DIAL ACT."

WHEREAS, Senator George McMillan, Jr., Representative L. Brooks Hines and Representative Gerald O. Dial worked long and diligently in the passage of Act No. 524, S. 185, providing for semi-permanent license plates, which will result in great savings of money to this state; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Act No. 524, S. 185, be known as the "McMillan-Hines-Dial Act."

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Gilmore, the Rules were suspended and the Resolution, H. J. R. 399, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 741. To create the office of ex-officio judge of the Tuscaloosa County Court; to prescribe the powers, duties and authority of the ex-officio judge; to provide for the appointment of such ex-officio judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants

to him; and to provide a supervisory board, and prescribe its authorities and responsibilities.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 741, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE TO S. B. 741

A BILL TO BE ENTITLED AN ACT

To create the office of ex-officio judge of the Tuscaloosa County Court; to prescribe the powers, duties and authority of the ex-officio judge; to provide for the appointment of such ex-officio judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him; and to provide a supervisory board, and prescribe its authorities and responsibilities.

Be It Enacted by the Legislature of Alabama:

Section 1. In Tuscaloosa County, the office of ex-officio judge of the Tuscaloosa County Court is hereby created.

Section 2. A supervisory board is hereby created. Said supervisory board shall be composed of all of the circuit judges of Tuscaloosa County, the judges of the Tuscaloosa County Court, the probate judge of said county, the public defender of said county and the district attorney of said county. The chairman of this supervisory board shall be the presiding circuit judge of said county. In addition to the duties and authorities of the supervisory board as elsewhere set out in this act, it shall be the authority and duty of the supervisory board to advise the ex-officio judge in matters of law and to direct such officer in the general conduct of the office.

Section 3. The office of ex-officio judge shall be subject to the general supervision of the supervisory board, and such officer shall hold office subject to the provisions of the civil service or merit system of the county.

Section 4. The ex-officio judge shall be an officer of the county, appointed by the supervisory board as other officers of the county subject to the civil service or merit system of the county are chosen or appointed, except, however, that any such ex-officio judge holding such office at the time of the passage of this act shall be the first such ex-officio judge under this act, and shall be deemed to hold permanent status as such civil service or merit system officer.

Section 5. It shall be the duty of said ex-officio judge, or his duly and legally constituted assistant or assistants to issue legal process from said court, to take affidavits and to issue warrants of arrest returnable to such court, to examine complaints and witnesses and to examine into facts preliminary to the issuance of a warrant of arrest as required by law, and to fix bail in all cases where a person charged with crime is entitled to bail

under any warrant of arrest issued by him and to keep a record of all warrants handled by him as ex-officio judge. Said ex-officio judge or his duly and legally constituted assistant or assistants shall be such magistrates as have power and authority to issue search warrants.

Section 6. Suitable space and stationery, equipment, supplies and assistants necessary for the conduct of said office shall be furnished by the county commission, or like governing body of the county to the ex-officio judge.

Section 7. The supervisory board shall have the authority to recommend the salary or any increase or decrease thereof, but the county commission shall have the authority to set the salary or salaries in the customary manner, provided, however, it shall not be less than \$10,000 nor more than \$15,000 per annum, which sum shall be paid from the general fund of the county in equal installments as salaries of other county officers are paid.

Section 8. The supervisory board is hereby empowered to recommend the employment of an assistant to the ex-officio judge, or as many such assistants to the ex-officio judge as the supervisory board may deem to be necessary and desirable, and such assistant or assistants to the ex-officio judge shall have the same power and authority as herein granted to the ex-officio judge in the absence of the ex-officio judge or when acting under the direction and supervision of the ex-officio judge. Such assistant or assistants may be full time or part time officials as said county commission shall decide or deem advisable.

Section 9. Full time assistants for such ex-officio judge shall be covered by the civil service or merit system of the county, but no part time assistant or assistants who shall be compensated by an hourly rate of pay, shall be employed subject to any civil service or merit system of the county, but shall be employed or discharged by the ex-officio judge with concurrence of the supervisory board.

Section 10. The assistant or assistants to the ex-officio judge shall receive such compensation as the county commission shall deem to be reasonable and proper, and in this determination the county commission shall be guided by, but not bound by, the recommendation of the ex-officio judge and the supervisory board. Such compensation shall be payable out of the general fund of the county as compensation of other county officers are paid.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this act are repealed.

Section 13. This act shall become effective on the first day of the first month beginning after its passage and approval by the Governor, or its otherwise becoming a law.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson,

Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 916. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON H. B. 916

We the Committee of Conference appointed to reconcile the disagreement between the two houses concerning the House of Representatives' amendment to H. B. 916 have met, considered the bill as amended, and have agreed to the following report:

1. We recommend that the attached bill be adopted as a substitute for H. B. 916 and then passed by both houses:

Respectfully submitted,

ROY JOHNSON,

ASBURY HOWARD,

JIMMY LEE,

Conferees on the part of the House

BURT BANK,

RICHARD C. SHELBY,

E. H. GILMORE,

Conferees on the part of the Senate

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 916

A BILL TO BE ENTITLED AN ACT

To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The total compensation of each Deputy District Attorney of the Sixth Judicial Circuit shall be computed by the criteria set

out in Section 2 hereinbelow. Of the total compensation received by each such Deputy District Attorney, each shall be paid such annual salary by the State of Alabama as may be otherwise provided for by law. The remainder of said annual compensation of each such Deputy District Attorney shall be paid by the county governing body of Tuscaloosa County, which sum shall be paid from the general fund of said county in equal installments as the salaries of other county officers are paid.

Section 2. (A). The beginning salary for each Deputy District Attorney shall be \$13,500.00 per annum.

Section 2. (B). When each Deputy District Attorney has completed one year of service in such office to the satisfaction of the District Attorney, and upon employment he had less than one year of prior applicable experience as an attorney, he shall, on recommendation of the District Attorney receive an annual salary of \$14,500; but, if, however, he had more than one year of prior applicable experience as an attorney upon his employment, then he shall, on recommendation of the District Attorney receive an annual salary of \$17,000.

Section 2. (C). When each Deputy District Attorney has completed two years of service in such office to the satisfaction of the District Attorney, he shall, on recommendation of the District Attorney receive an annual salary of \$18,000.

Section 2. (D). When each Deputy District Attorney has completed three years of service in such office to the satisfaction of the District Attorney, he shall, on recommendation of the District Attorney receive an annual salary of \$19,000.

Section 2. (E). When each Deputy District Attorney has completed at least five years, but not more than seven years of service in such office to the satisfaction of the District Attorney, he shall, on recommendation of the District Attorney receive an annual salary of \$21,500.

Section 2. (F). When each Deputy District Attorney has completed at least seven years of service in such office to the satisfaction of the District Attorney, he shall, on recommendation of the District Attorney receive an annual salary of \$24,000.

Section 3. In determining the present salary of each Deputy District Attorney serving in such office at the time that this Act becomes a law, it is intended that such salary be what it would have been if this law had been effective at the time that such Deputy District Attorney began his service as such Deputy District Attorney, and that the service of such Deputy District Attorney has been satisfactory to the District Attorney, and that the District Attorney has after each year of such service recommended that such Deputy District Attorney receive the maximum salary increase possible under this Act.

Section 4. In the event that after this Act becomes a law any former Deputy District Attorney shall be re-employed in such office, then his prior term of service in such office may be considered in determining his salary, in the discretion of the District Attorney; and, if such former deputy District Attorney shall have also served as a Public Defender, then the time served as such Public Defender may also be considered in determining his salary, in the discretion of the District Attorney.

Section 5. All laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Shelby, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 916, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, Little, Littleton, McDonald (A), McMillan, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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RESOLUTION

Mr. Fine offered the following Senate Joint Resolution, to-wit:

S. J. R. 153. NAMING ALABAMA HIGHWAY 18 BETWEEN BERRY AND FAYETTE THE D. C. "DEACON" GREY MEMORIAL HIGHWAY.

WHEREAS the late D. C. "Deacon" Grey served with distinction and foresight as the tax collector of Fayette County and as the Mayor of Berry, and was also as esteemed member of the House of Representatives from 1971 to 1973; and

WHEREAS this dedicated and personable public servant used his talents for the betterment of the citizens of his community and state; and

WHEREAS the residents of Fayette County wish to pay a lasting tribute to "Deacon" Grey and his many accomplishments; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That as a sincere gesture of the esteem held for this great citizen of Fayette County, that portion of Alabama Highway 18 between Berry and Fayette shall hereafter be named the D. C. "Deacon" Grey Memorial Highway, and the State Highway Department is directed to erect appropriate signs designating it as such.

On motion of Mr. Fine, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1662. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Reed, Holley and LeFlore.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Perry, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1662, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Fine, Flippo, Foshee, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mims, Mitchell, Owen, Pearson, Perry, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Perry, Foshee and Owen.

RESOLUTION RECONSIDERED

On motion of Mr. Gilmore, the Senate reconsidered the vote by which the Resolution, H. J. R. 330, was concurred in and adopted. On motion of Mr. Gilmore, further consideration of the Resolution was postponed temporarily.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a Message from the Governor concerning

Senate Bill Number 1033, and containing suggested Executive Amendments.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 2 DAY OF OCTOBER, 1975.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

At the request of the sponsor, I am returning to you, the Body in which it originated, Senate Bill Number 1033, without my signature and approval, and the following suggested Executive Amendments.

It is suggested that you amend the title thereof by deleting the words, "the Inferior Court".

It is further suggested that Section 1 be amended by deleting the words, "Inferior Court".

The adoption of the above and foregoing Executive Amendments will remove my objections to this bill.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Wilson, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

S. 1033. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Inferior Court, the Intermediate Court, and the District Attorney's Office.

which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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which was a majority of the whole number elected to the Senate.

And said Bill, S. B. 1033, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, Givhan, King, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Harrison:

H. J. R. 410. CREATING AN INTERIM STUDY COMMITTEE ON THE AVAILABILITY OF SAFE AND SANITARY RESIDENTIAL HOUSING FOR LOW AND MODERATE INCOME FAMILIES.

WHEREAS the availability of decent, safe, and sanitary housing to families of low and moderate income is of primary importance in combating disease, crime, environmental decline, poverty and diminished property values in urban areas; and

WHEREAS shortages of adequate housing can often be traced to the recurrent shortage of funds available to finance such housing; and

WHEREAS the solution to the problem of housing and housing finance shortages can be ascertained only after a complete and comprehensive study of the housing situation in Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there is hereby created a Joint Interim Study Committee on the Availability of Safe and Sanitary Residential Housing to low and moderate income families, hereinafter called "the committee".

a. The committee shall be composed of six members of the legislature, three members selected by the Speaker of the House of Representatives, and three members selected by the Lieutenant Governor. The Speaker shall nominate a chairman and the Lieutenant Governor a vice chairman to preside over such committee.

b. The committee shall meet at the call of the chairman as soon as practicable following the adoption of this resolution. The committee shall inquire into the availability and adequacy of residential housing for low and moderate income persons and families, the existence of shortages of the same, the causes of such shortages, and possible solutions or remedial measures.

c. The committee shall be empowered to hold hearings or meetings at any place in the state, to employ such clerical, legal, and stenographic

assistance as may be necessary and the cost of such to be paid as provided by Code of Alabama 1940, Title 32, Section 13.

d. The compensation of committee employees shall be paid as provided in Code of Alabama 1940, Title 32, Sections 13 and 14. The members of the committee shall be entitled to his regular legislative compensation, per diem, and travel expenses for each day he attends a meeting of the committee which shall be paid out of any funds appropriated to the use of the legislature, on warrants drawn on the state comptroller upon requisition signed by the committee's chairman, provided, however, that the committee shall not meet more than 25 days.

e. The committee shall prepare a report of its findings and recommendations to the Governor and to each member of the legislature by the fifth day of the 1976 Regular Session. The cost of such report shall be paid out of any funds appropriated to the use of the legislature, on warrants drawn upon the state comptroller upon requisition signed by the committee's chairman. Upon submission of its report, the committee shall stand discharged.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Fine, the Rules were suspended and the Resolution, H. J. R. 410, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Robertson:

H. J. R. 395. URGING THE DEVELOPMENT OF AN INTERSTATE AND FEDERAL PROGRAM TO USE PRISONER LABOR TO CONSTRUCT A CANAL RUNNING ADJACENT TO THE SOUTHERN MOST STATES REGION.

WHEREAS, the area from Florida to California has as one of its richest natural resources the Gulf of Mexico, the Rio Grande and Gulf of California, and other bodies of water; and

WHEREAS, a canal constructed across the southern region would enhance the economy of the nation as well as reinforce the American defense and security; and

WHEREAS, the criminal-justice system, has evinced ignominious failure, at both the federal and state levels, to rehabilitate inmates; and

WHEREAS, the penal system nationally has evolved into a spawning ground for rioting, murdering and other infamous activities, and recidivism is at an all time high; and

WHEREAS, the average national cost of maintaining one prisoner is estimated at \$10,000 annually and there are more than 204,000 inmates

incarcerated in federal and state institutions who are leading a non-productive existence; and

WHEREAS, many branches of the armed services are finding it an impossible task to efficiently utilize its manpowers' talents and skills and they have demonstrated restlessness without wars to wage, and even some congressional members speak of unionizing the United States Army; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the States from Florida to California which are adjacent to the Gulf of Mexico, the Rio Grande and the Gulf of California, together with the federal government, be urged to join in undertaking the development forthwith of a joint program to utilize the energies of state and federal prisoners who are serving sentences of three months or more in digging a canal from the eastern most tip to the western most tip of this area, constructing necessary locks and dams to make such a canal open to sea-going vessels.

BE IT FURTHER RESOLVED, That members of the United States Army, Navy, and Marines, as well as the national guards of the several states be deployed to oversee the program, guard the prisoners and insure that the inmates perform their tasks well and until the tasks so performed will induce the inmates to a tranquil state, eliminating propensities to fight, riot and otherwise be disruptive.

FURTHER RESOLVED, That this Legislature believes such a program will guide the energies and talents of prisoners and the members of the armed services into productive and proper channels which will result in prodigious benefits for the nation and world for generations to come.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the President and Vice President of the United States, The Speaker of the House of Representatives, the Alabama Congressional delegation, the Secretary of HEW, The Joint Chiefs of Staff, the U. S. Corps of Engineers, and the Commissioner of the Alabama Board of Corrections.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 395, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

RESOLUTION

The Standing Committee on Rules offered the following Senate Resolution, to-wit:

S. R. 154. Resolved by the Senate, That the following bills shall be the paramount and continuing order of business, immediately upon adoption of this resolution, taking precedence over all other business, for the 35th legislative day only:

All uncontested local bills as they appear on the calendar, and the following general bills:

Bill No.	Page No.	Description
H. B. 1183	90	Industrial Development
H. B. 1184	91	Industrial Development
H. B. 291	96	Licensing of vending machines
H. B. 316	29	Investment of funds
H. B. 1046	94	Copy law—sounds
H. B. 658	54	Oil and Gas Board
H. B. 556	31	Secretary of State
H. B. 537		State policemen
H. B. 638	33	Small business
H. B. 1208	59	Income tax
H. B. 442	9	Conservation Department
H. B. 665	27	Conservation Department
H. B. 860	85	Circuit Judge—Etowah County
H. B. 1022	16	State-owned autos
H. B. 1669	88	Corps of Engineers
H. B. 1778	84	Fort Toulouse
H. B. 1562	60	Fort Toulouse
H. B. 66	48	State Law enforcement officers
H. B. 571	13	Probate Judges
H. B. 367	18	Paint sales
H. B. 39	6	Department of Labor
H. B. 1255	29	White cane law
H. B. 113	18	Absentee voting
H. B. 517	12	Local governments
H. B. 507	4	Houston County
H. B. 43	24	Retirement
H. B. 63	52	Retirement
H. B. 283	52	County Engineers
H. B. 87	17	City Recorders
H. B. 1472	15	Houston County
H. B. 342	12	Building code standards
H. B. 475	54	State vehicles—tags
H. B. 92	9	State banks

H. B. 390	32	Legislative journals
H. B. 192	7	Insurance Department
H. B. 788	92	Child abuse
H. B. 948	49	Banking
H. B. 949	49	Banking
H. B. 119	18	Hunting
H. B. 288	54	County Government
H. B. 230	20	Good Neighbor Commission
H. B. 396	19	Department of Education
H. B. 1194	49	Issuance of bonds
H. B. 180	20	Department of Conservation
H. B. 1846	61	Legal possession of beverages
H. B. 484	63	Non-residence fishing license
H. B. 88	29	Bid Laws
H. B. 706	63	Non-residence hunting license
H. B. 887	89	Mental Health
H. B. 1547	83	First Judicial Circuit
H. B. 1323	37	Department of Indus. Relations
H. B. 1605	39	State Docks
H. B. 572	46	Local Government
H. B. 775	9	Trucks
H. B. 318	58	County funds
H. B. 463	19	Commercial fishing gear
H. B. 1316	53	Capitol preservation
H. B. 512	55	Credit unions
H. B. 176	5	Rename building
H. B. 962	80	Social Security
H. B. 191	70	Firefighters
H. B. 743	74	ABC Board
H. B. 768	87	Filing fees
H. B. 747	35	Motor Sports Hall
H. B. 251	6	Ins. agents
H. B. 451	92	Court decrees
H. B. 748	36	Motor Sports Hall

H. B. 80	34	Alabama Aviation Exh. Comm.
H. B. 81	34	Ala. Aviation Exh. Comm.
H. B. 1160	81	Tax Collectors, et al
H. B. 1365	62	ambulances
H. B. 1764	70	Ala. Bus. Corp'n. Act
H. B. 816	30	names building
H. B. 1419	82	Alabama State
H. B. 414	10	Livestock Theft
H. B. 413	71	Livestock dealers
H. B. 550	72	Livestock dealers
H. B. 1684	73	Lime fertilizer
H. B. 1450	48	attendance of witnesses
H. B. 936	89	loans and credit sales
H. B. 1378	67	school bus drivers
H. B. 47	8	city limits
H. B. 122	69	vital statistics
H. B. 1433	68	Health Department
H. B. 352	62	law enforcement
H. B. 1606	41	State Docks
H. B. 523	64	Supt. of Ed. elections
H. B. 524	65	School board elections
H. B. 887	89	Mental Health
H. B. 443	79	Choctawhatchee Watershed Appr.
H. B. 1623	86	renovation, repair building
H. B. 1171	85	Alabama Forestry Comm.
H. B. 1273	82	Alabama Forestry Comm.
H. B. 1607	43	State Docks
H. B. 616	97	Sheriffs' retirement
H. B. 500	27	State Employees
H. B. 1565	58	Oil and Gas Board
H. B. 963	59	County Gov't.
H. B. 600	67	Optometry
H. B. 672	97	Clerk and Registers
H. B. 1194	49	Water & sewer commissioners

H. B. 1195	95	Gas Districts
H. B. 1370	95	Warrants
H. B. 1371	96	Warrants
H. B. 1372	94	County water works
H. B. 1373	94	Warrants
H. B. 1374	95	Warrants

Mr. Baker offered the following substitute for the Resolution, S. R. 154, to-wit:

SUBSTITUTE FOR S. R. 154

Amend S. R. 154, by striking out all the bills listed thereon and by substituting the following:

UNCONTESTED LOCAL BILLS

H. B. 489
H. B. 38
H. B. 40
H. B. 97
H. B. 198
H. B. 199
H. B. 336
H. B. 405
H. B. 476
H. B. 488
H. B. 457
H. B. 584
H. B. 507
H. B. 1472
H. B. 1046

Mr. Foshee moved that said substitute be laid on the table, which motion was lost.

Yeas 11; Nays 22.

Yeas:

Messrs. Adams, Foshee, Givhan, Jones, Littleton, McDonald (A), Noonan, Owen, Perry, Stewart, Wilson.

— 11

Nays:

Messrs. Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Gilmore,

King, Little, McDonald (S), McMillan, Mims, Mitchell, Pearson, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop.

—22

RESOLUTION

Mr. Jones offered the following Senate Resolution, to-wit:

S. R. 155. MOURNING THE DEATH OF THOMAS D. CONNER.

WHEREAS, the Alabama legislature has noted with a sense of deep regret the passing of Thomas D. Conner; and

WHEREAS, Thomas D. Conner exhibited throughout his life those admirable attributes of friendliness, devotion to duty, and concern for his fellowmen. He gained the respect and affection of all who knew him, whether friend or mere acquaintance; and

WHEREAS, he was an active member of the East Montgomery Exchange Club; and

WHEREAS, Thomas D. Conner was active in community affairs serving on both the city and county Democratic Executive Committee as well as various boards of the City of Montgomery; and

WHEREAS, Thomas D. Conner was a beloved employee of the legislature of Alabama; now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, That we mourn the death of Thomas D. Conner and express our deep and sincere sympathy to his wife, Gladys, and his family to whom copies of this resolution shall be sent.

On motion of Mr. Jones, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 203. To provide for the appointment of assistant district attorneys in the Thirteenth Judicial Circuit and for a graduated schedule of compensation for assistant district attorneys in the Thirteenth Judicial Circuit and to repeal Code of Alabama 1940, Title 13, Section 254 and all amendments thereto.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 783. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1975, page 59 of the

Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 531. To further provide for the authority of police officers appointed pursuant to the provisions of Section 500 of Title 52 of the Code of Alabama of 1940, as amended, and Act No. 1125, adopted at the 1969 Regular Session of the Legislature of Alabama.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1493. To name the new Cahaba River Bridge in Perry County the Walter C. Givhan Bridge.

Also:

H. 1842. Relating to all counties having populations of not less than 10,900 nor more than 11,500 according to the most recent federal decennial census; authorizing the county governing body to hire deputy sheriffs, subject to available county funding for such purposes.

Also:

H. 1843. Relating to all counties having a population of not less than 10,900, nor more than 11,500 inhabitants according to the most recent federal decennial census; authorizing the governing bodies to establish within any such county or in any municipality located within any such county ambulance service on a non-profit basis; further authorizing any such county to join with any one or more municipality within the county in the establishment of such ambulance service; providing the manner and procedure for establishing the same; authorizing appropriations of public funds and charging certain fees for such service; and exempting from tort liability any such county and municipality while operating ambulances or providing ambulance service as authorized herein.

Also:

H. 1845. To create a 12 member Board to serve as a County Wide Rural Sanitation Board, for Marshall County, Alabama to assist in obtaining sewage treatment and disposal facilities for said County.

Also:

H. 1851. Relating to all counties of not less than 22,000 population nor more than 22,500 population according to the most recent federal census, fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 1852. Relating to Escambia County; to give the members of the county commission an additional monthly expense allowance.

Also:

H. 1863. Relating to all counties having a population of not less than 17,000 nor more than 20,000 inhabitants according to the most recent federal decennial census; further regulating the taking of fish from public streams and impounded waters; authorizing the taking of non-game fish by the use of wire mesh baskets, thread hoop nets, or wooden baskets, and prescribing a license tax therefor; and prescribing penalties for violations of the act.

Also:

H. 1875. Relating to counties having a population of not less than 16,600 nor more than 16,950 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

H. 1876. To further amend Section 1 of Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159) as amended by Act No. 1183, H. 1344, approved September 13, 1969 (Acts of Alabama 1969, Vol. III, Page 2212) entitled "An Act to amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees" so that said Act after passage and approval of this Act by the Governor or its otherwise becoming law, shall apply to all counties having populations of not less than 57,000 nor more than 61,000 inhabitants according to the most recent federal decennial census, and to provide an effective date.

Also:

H. 1348. To provide for supplementing the salaries or compensation paid to semi-retired or retired circuit judges in the 11th Judicial Circuit.

Also:

H. 1261. Relating to Colbert County; providing for the further and additional definitions of "Hospital" for the purpose of defining any "Hospital" operated or to be operated by any Corporation already incorporated or which may hereafter be incorporated in Colbert County, Alabama, under the provisions of Article 5, Title 22, Code of Alabama, and to provide for further and additional powers for any corporation already incorporated or which may be incorporated in Colbert County under the provisions of Article 5, Title 22, Code of Alabama, (1940) as amended and recompiled.

Also:

H. 1835. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Also:

H. 64. To amend Section 1 of Act No. 359, H. 150, Regular Session 1951 (Acts 1951, p. 646); to provide for the issuance of special license tags to owners of private or pleasure motor vehicles who hold citizen's band radio licenses issued by the Federal Communications Commission.

Also:

H. 1568. To amend Subsections D and K of Section 186, Section 191, Section 194, Subsection C of Section 201, Section 204, Section 207, Subsections D and E of Section 213, Subsections B and C of Section 214,

Subsection D of Section 216, Subsection C of Section 218, and Subsections B and C of Section 224, Title 26, Chapter 4, Code of Alabama 1940, as last amended.

Also:

H. 1790. To amend Section 8, Act No. 42, H. 207, Regular Session 1971 (Acts 1971, p. 279), relating to Alabama Pollution Control Finance Authority, so as to increase the amount of bonds authorized to be issued by the Authority from \$25,000,000 to \$30,000,000 and to increase the years of maturity from not exceeding 30 to not exceeding 40 years.

Also:

H. 1898. Proposing an amendment to the constitution of Alabama relating to placing the probate judge, the tax assessor, the tax collector, and the circuit clerk of Washington County on a salary basis of compensation.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1711. To permit banks now or hereinafter situated in the City of Childersburg in Talladega County to establish, maintain and operate branch banks and branch offices within the limits of said city for the conduct of a general banking and trust business; and to repeal conflicting laws.

Also:

H. 713. To create a board of trustees to manage, control and maintain Alabama State University; to prescribe the powers, duties, authority, and compensation of the board; to provide for the appointment and prescribe the terms of office of members thereof; to divest the State Board of Education of all jurisdiction, power and authority with respect to the supervision, management and control of said university; and to provide for the transfer from said state board of education to the board of trustees of Alabama State University all supplies, funds, books, documents, records and other property or effects of such university.

Also:

H. 902. To name the new student union building at Livingston University "The George C. Wallace Union Building."

Also:

H. 603. To provide adequate professional, administrative, and clerical personnel, together with necessary equipment and funding for the Office of the District Attorney for the Fifteenth Judicial Circuit.

Also:

H. 1230. To name the bridge across the Pea River on County Road 77 between Pike and Barbour Counties the Samuel Kirke Adams Bridge.

Also:

H. 1728. Relating to the Seventh Judicial Circuit; to authorize the district attorney to appoint two deputy district attorneys and one clerk-secretary; to fix their salaries and to provide for the payment thereof; and to provide further for the compensation of the investigator for the circuit.

Also:

H. 1426. To name a classroom building housing Technical Drafting, Watch Repair, Cosmetology, and other subjects on the campus of John C. Calhoun State Community College the Noble J. Russell Building.

Also:

H. 76. Relating to taxation, to provide for an exemption from ad valorem taxation on personal property in transit through this state, or in storage in a public or private warehouse or other storage facility for shipment to a destination outside this state, to declare the policy of this state to encourage the development of this state as a distribution center; to provide for certain warehouse or storage facility records with regard to such property; and to repeal inconsistent laws.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1702. To provide that any municipality within Calhoun County may hold a referendum every four years on the question of allowing said municipality to become or remain legally dry, or to become or remain legally wet.

Also:

H. 1401. To provide for the City of Piedmont in Calhoun County a civil service system governing the appointment, removal, salaries, tenure

and official conduct of employees of the city; defining violations of the act; imposing penalties for violations; and repealing conflicting laws.

Also:

H. 1707. Relating to medical clinic boards organized under Act No. 516 (1955 Regular Session), as amended; providing that in cases where any debt service reserve fund established by a medical clinic board is to be entirely funded out of bond proceeds, it will not be necessary for the rental under any related lease to include amounts sufficient to build up such debt service reserve and, in such cases, dispenses with the necessity of any findings by the Board of Directors of any such medical clinic board with respect thereto; providing that medical clinic board bonds may mature at such time or times not exceeding forty years from their date; providing that refunding bonds issued by such a medical clinic board need not be payable solely out of the same revenues out of which the refunded bonds were payable; and specifying that all the aforesaid provisions shall apply both prospectively and retrospectively except in certain specified cases.

Also:

H. 1125. Relating to public health; further amending Section 1 of Act No. 211, S. 107, Regular Session 1945 (General Acts 1945, p. 330), as amended, (now appearing in Code of Alabama, Recompiled 1958, Title 22, Section 204 (3)) so as to include nursing homes and extended care facilities within the definition of the term, hospital, as such term is used in the law providing for State Board of Health Hospitals and the State master plan of hospitals.

Also:

H. 1289. To amend the title and Section 1 of Act No. 235, H. 904, Regular Session 1965 (Acts 1965, P. 339), which provides further for redeeming land sold for taxes, transfers certain duties of the probate judge to the tax collector of certain counties classified on a population basis.

Also:

H. 810. Relating to Bibb County; to require the county commission to establish a county-wide personnel and merit system under the supervision of the State Personnel Department.

Also:

H. 1752. To create the office of supernumerary sheriff in all counties with a population of not less than 10,660 nor more than 10,900 inhabitants according to the most recent decennial census, and to prescribe the qualifications, duties and salary of such office.

Also:

H. 915. To create a solicitor's fund in the Sixth Judicial Circuit of Alabama; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in the Sixth Judicial Circuit of Alabama; to authorize the county governing body to appropriate funds from the general fund to be placed in the solicitor's fund; and to authorize expenditures of said fund by the District Attorney of the Sixth Judicial Circuit for law enforcement and the discharge of the duties of his office.

Also:

H. 1592. To provide in Tuscaloosa County, Alabama, for the creation, maintenance and regulation of districts for fighting or preventing fires, districts for the collection and disposal of garbage and districts for both of the aforesaid purposes; to prescribe conditions and regulations relative to the creation of such districts; to prescribe the organization, rights and powers of such districts; to prescribe limitations on such rights and powers and to repeal all conflicting statutes.

Also:

H. 1758. To provide for compensation for members of the jury commission in all counties having a population of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census.

Also:

H. 1831. Relating to all counties having a population of not less than 13,500 nor more than 14,250 inhabitants according to the most recent federal decennial census; authorizing the county governing bodies of such counties to make an additional annual appropriation to the tax assessor and tax collector for clerk hire allowances to be paid from the county treasury.

Also:

H. 60. Relating to counties having populations of 600,000 or more according to the most recent federal decennial census; to regulate further the taking of fish from public streams and impounded waters in such counties except in municipal parks; authorizing the taking of non-game fish by the use of wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken; prescribing penalties for violation of this act.

Also:

H. 801. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, pp. 1579 et seq.), as heretofore amended, which said Act, as heretofore amended, is entitled "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system; to make the provisions of such system applicable on and after September 1, 1969, to classified service employees of the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of any such city, and to provide membership in the system for certain employees of a Civic Center Authority in any county in which any such city may be located."

Also:

H. 1518. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No.

96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Also:

H. 1738. To provide for an expense allowance for the president of the board of commissioners and each associate commissioner of the board of any city having a population of not less than 32,000 nor more than 34,000 inhabitants according to the most recent federal decennial census and to repeal all conflicting statutes.

Also:

H. 1837. Relating to counties having a population of not less than 110,000 nor more than 150,000 according to the most recent federal decennial census; providing for the salaries of the chairman and associate members of the civil service boards of such counties and repealing all conflicting laws.

Also:

H. 1841. Relating to all counties having populations of 10,660 or less according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as herein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

H. 1688. Relating to counties having a population of not less than 22,250 nor more than 23,000 inhabitants according to the most recent federal decennial census; to provide that no claim presented to the county commission need be sworn to and that no testimony need be presented as to whether any part of such claim has been previously paid.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 371. MOURNING THE DEATH OF PROFESSOR GEORGE WALTER HARGREAVES.

Also:

H. J. R. 380. COMMENDING THE FULTONDALE HIGH SCHOOL BAND.

Also:

H. J. R. 339. COMMENDING THE TUSCUMBIA SENIOR LEAGUE ALL STARS.

Also:

H. J. R. 350. COMMENDING DEAN PIERCE FOR 20 YEARS AS DEAN OF EDUCATION AT AUBURN.

Also:

H. J. R. 390. COMMENDING THE CHILTON COUNTY RESCUE SQUAD UPON THEIR 20TH ANNIVERSARY.

Also:

H. J. R. 351. MOURNING THE DEATH OF WILLIAM E. FRETWELL OF PERDIDO.

Also:

H. J. R. 352. MOURNING THE DEATH OF CECIL R. BLACKWELL OF BON SECOUR.

Also:

H. J. R. 354. MOURNING THE DEATH OF THE HONORABLE ORVILLE E. BRADDOCK, MAYOR OF HOOVER.

Also:

H. J. R. 359. MOURNING THE DEATH OF GERALD CARL SWANN.

Also:

H. J. R. 364. CONGRATULATING OUR FIRST LADY, MRS. CORNELIA WALLACE, ON THE HONORS THE CITIZENS OF ELBA BESTOWED UPON HER ON SEPTEMBER 12, 1975.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

RESOLUTION

Mr. Pearson offered the following Senate Joint Resolution, to-wit:

S. J. R. 156. AMENDING S. J. R. 39, THIRD SPECIAL SESSION 1975.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the last paragraph of S. J. R. 39, created in the third special session 1975, be amended to read as follows:

The Committee shall report to the Legislature on its findings by the 15th legislative day of the regular session 1976 and upon submission of its report shall be dissolved.

On motion of Mr. Pearson, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 837. Relating to all counties having populations of not less than 65,000 nor more than 68,000 inhabitants according to the most recent federal decennial census; to provide for an additional secretarial assistant for the office of the district attorney and for the offices of circuit judge of the judicial circuit in which such county lies.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 1517. Relating to Mobile County; to provide further for the disposition and use of a certain portion of the funds received by Mobile County under the provisions of Act No. 2, H. 47, Regular Session 1945 (Acts 1945, p. 20), as amended, providing for an oil and gas severance tax, and to specifically repeal Act No. 29, H. 30, Second Special Session 1956 (Acts 1956, p. 299), and all other laws or parts of laws in conflict herewith.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Callahan, Sonnier and McMillan.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Roberts, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1517, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Foshee, Gilmore, Givhan, King, Little, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Roberts, Noonan and Owen.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 1662. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE
ON HOUSE BILL 1662

We, your Committee on Conference appointed to reconcile the difference between the two Houses concerning House Bill 1662 beg leave to report as follows:

That the Conference Committee concurs in the Senate amendment to House Bill 1662.

Conferees of the House:

THOMAS L. REED,

JIMMY W. HOLLEY,

JOHN L. LeFLORE,

Conferees of the Senate:

E. C. FOSHEE,

L. D. OWEN, JR.,

T. DUDLEY PERRY,

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. Perry, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1662, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flipppo, Gilmore, Jones, King, Little, McDonald (A), McDonald (S), Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Mr. Lutz:

H. J. R. 412. WHEREAS, the Senate and the House of Representatives of the State of Alabama are informed that Senator John J. Sparkman and Senator James B. Allen and Representative Robert E. Jones and Representative Tom Bevill have introduced in the Senate and the House of Representatives of the United States a bill to create a United States District Court for the Tennessee Valley District of Alabama, to encompass a territorial jurisdiction composed of the twelve Tennessee Valley counties of this state; and,

WHEREAS, the enactment of such bill by the Congress would relieve members of the public residing within the proposed Tennessee Valley District of burdensome and inconvenient requirements of travel for themselves, their witnesses and particularly their attorneys, and inordinate expense incident thereto in the conduct of litigation in the United States Courts and would relieve members of the public summoned for jury duty in such Courts of like burden and expense, thereby making United States Courts accessible to the members of the public of this State concerned with less total cost and greater inconvenience to them; NOW, THEREFORE,

BE IT HEREBY RESOLVED by the Senate and the House of Representatives of the State of Alabama that Senator Sparkman, Senator

Allen, Representative Jones and Representative Bevill be commended for their action in the interest of the public of this State concerned thereby in the introduction in the Congress of the said bill to create a United States District Court for the Tennessee Valley District of Alabama and that the Congress is hereby urged, in behalf of such members of the public of this State, to enact said bill into law.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 412, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1285. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 146. COMMENDING CLEVELAND L. ADAMS.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 91. CREATING A SELECT JOINT INTERIM COMMITTEE TO STUDY GRANTS RECEIVED BY THE VARIOUS STATE DEPARTMENTS AND AGENCIES.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 441. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1975-76 and 1976-77; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

And said bill as thus amended by the report of the Committee on Conference was again read at length and passed.

And said bill, together with the Report of the Committee on Conference, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 978. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant ad valorem tax exemptions on city ad valorem taxes for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1824. To amend Section 1 of Act No. 416, S. 396 Regular Session 1935 (Acts of 1935, p. 243) entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county, gasoline, naphtha, and other liquid motor fuels or any devices or substitutes therefor, commonly

used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," so as to provide for the taxation of diesel fuel when such fuel is to be used in an internal combustion engine for the purpose of propulsion of a vehicle on public roads, streets, ferries, highways or bridges.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The house has concurred in and adopted the Senate amendment to the following House bill:

H. 1916. Relating to Cullman County; to levy an excise and privilege tax on the severance of coal in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the paving of roads in Cullman County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Joint Resolution.

H. J. R. 368. Relative to creating a joint interim committee to study the feasibility of adopting a revised criminal code for the state of Alabama.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING

The Bill:

H. 211. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said Circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation

and provide for the payment of his compensation out of the General Fund of the County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 211, to-wit:

COMMITTEE AMENDMENT TO H. B. 211

In Section 1, page 1, lines 26-27, strike the words "of ten thousand dollars per annum," and insert in lieu thereof the following:

equal in amount to the salary of a circuit court bailiff

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 211, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flipppo, Foshee, Gilmore, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1390. Relating to Coosa County, providing for a clerk hire allowance not to exceed \$5,000 per year for the office of judge of probate of said county.

was taken up.

Mr. Littleton offered the following amendment to the Bill, H. B. 1390, to-wit:

Amend House Bill No. 1390 Line 21, by inserting after the word amount: "provided however that said allowance shall not be paid unless funds are paid to clerical personnel."

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1390, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 357. To apply only in Mobile County providing for service of witness subpoenas by mail.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 781. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 781, to-wit:

COMMITTEE AMENDMENT TO H. B. 781

In Section 1, page 2, line 34, strike the word and figure "age 60" and insert in lieu thereof, "age 62".

In Section 1, page 3, line 5, after the words "but not exceeding fifty percent" strike the remaining words and period in the sentence, i.e., "of the amount of the monthly salary paid him for the high three out of the five years immediately preceding retirement.", and insert in lieu thereof the following: "of the average compensation he received as a salary during the three (3) highest paid years out of the five years immediately preceding retirement."

In Section 1, page 3, line 16, strike the word and figure "sixty (60)" and insert in lieu thereof "sixty-two (62)".

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 781, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, King, Little, Littleton, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 782. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 782, to-wit:

COMMITTEE AMENDMENT TO H. B. 782

Amend H. B. 782 as follows:

On Page 1, line 22 by striking the figures "90%" and inserting in lieu thereof the figures "75%"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 782, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1120. To provide for supplementing the compensation paid to retired Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than twelve circuit judges.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1161. To fix the compensation or salary and allowance of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1161, to-wit:

COMMITTEE AMENDMENT TO H. B. 1161

Amend H. B. 1161 by striking the words "and all other necessary expenses in connection with his office and the operation thereof." on lines

28 and 29 of Section 5 and substitute in lieu thereof the following words, viz: and all other necessary expenses directly connected with the performance of the official duties of his office.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1161, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1456. Relating to the coroner's office in all counties having populations of not less than 15,400 nor more than 15,625 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1456, to-wit:

COMMITTEE AMENDMENT TO H. B. 1456

Amend H. B. 1456 as follows:

On page 1, line 23 strike the words "twenty-five" and insert in lieu thereof the word "ten"

Further amend H. B. 1456 on page 1, line 25 by striking the words "one hundred" and inserting in lieu thereof the word "forty"

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1456, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1545. To allow or rearrange the boundaries of the City of Dothan, Houston County, Alabama, so as to include within the corporate limits of said City all territory within such corporate limits and also certain other territory contiguous thereto.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1545, to-wit:

COMMITTEE AMENDMENT TO H. B. 1545

In Section 1, page 2, line 23, strike out the semicolon and insert in lieu thereof a comma, and add, immediately after the comma, the following words and figures: and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 19, T3N, R26N, which is a part of the property commonly known as the "Q. B. Buckhalt Property";

Also in said Section 1, on page 3, line 22, strike out the semicolon and insert in lieu thereof a comma then add the following words and figures: less the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32, T4N, R26E;

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1545, as thus amended, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, Jones, King, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1740. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the state having a population of not less than 50,000 nor more than 65,000 inhabitants according to the most recent federal decennial census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for a committee including such governing bodies to appoint members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease or cause to be leased such facilities to others, and to develop, acquire and lease or cause to be leased certain retail and service establishments in conjunction with and as a part of the parking facilities; to grant the Authority other powers incidental to the powers above enumerated, including but not restricted to the power of eminent domain; to authorize the city to aid the Authority in planning, constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in or indenture by the Authority and a trustee, or by resolution providing for the issuance of bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county wherein the Authority is located; to provide that bonds or other debts of the Authority shall not constitute a debt of the state or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this state to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings bank and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority, and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and

the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

was taken up.

Mr. Waldrop offered the following substitute for the Bill, H. B. 1740, to-wit:

SUBSTITUTE FOR H. B. 1740

A BILL TO BE ENTITLED AN ACT

To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for a committee including such governing bodies to appoint members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease or cause to be leased such facilities to others, and to develop, acquire and lease or cause to be leased certain retail and service establishments in conjunction with and as a part of the parking facilities; to grant the Authority other powers incidental to the powers above enumerated, including but not restricted to the power of eminent domain; to authorize the city to aid the Authority in planning, constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in or indenture by the Authority and a trustee, or by resolution providing for the issuance of bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county wherein the Authority is located; to provide that bonds or other debts of the Authority shall not constitute a debt of the state or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this state to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings bank and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority, and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Findings. The history of cities and the courses of legislatures throughout America, including the Alabama Legislature, confirm that the public welfare requires that cities of not less than 50,000 nor more than 60,000 population, and parking authority thereof, be authorized to provide off-street parking facilities.

The Law Review of National Institute of Municipal Law Officers (1968 Ed.) reports that prior to World War II there were almost no municipal off-street parking facilities, and that a survey made in 1966, covering 1,517 cities, showed that "fully 48 percent of municipal parking spaces are located in off-street lots and garages." State legislatures throughout the Union have provided for cities to furnish off-street parking facilities.

By Act No. 90 of the 2nd Extra Session of 1965 (Ala. Acts, 2nd and 3rd Special Sessions, 1965, p. 119) this legislature declared that because of the serious traffic congestion on streets of cities having a population of between 70,000 and 120,000 and the inadequacy of off-street parking facilities therein, public welfare required the legislature to authorize such cities to provide off-street parking facilities, which Act No. 90 did.

It is hereby declared that the free circulation of traffic on the streets of cities having a population of not less than 50,000 nor more than 60,000 is necessary to the health, safety and general welfare of the public; that the greatly increased use of motor vehicles has caused serious traffic congestion on the streets of such cities; that the parking of motor vehicles has contributed to such congestion; that such congestion prevents the free flow of traffic through such cities, impedes effective firefighting and the disposition of police forces, and threatens irreparable loss in the values of urban property, which can no longer be readily reached by vehicular traffic; that parking facilities in such cities are grossly inadequate; that private enterprise has not been able to solve the problem, because private parking lots are frequently temporary in nature, located without regard for actual parking requirements, with vacant land being used for parking purposes in more or less haphazard fashion, to earn something from the land pending some construction thereon; that as a consequence of the extreme shortage of parking space in the central business districts of the city those operating parking facilities impose upon the public by charging grossly excessive and oppressive fees for parking; that the inadequacy of parking space is harmful to the public convenience, health, safety and welfare; that the inadequate off-street parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this Act is hereby declared to be a public necessity which the public welfare and convenience require.

Section 2. Application of Act. This Act shall apply to each city of the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census, and to no other city.

Section 3. Definitions. Unless the context plainly indicates otherwise, the following words and terms shall have the meanings hereby ascribed to them: "the city" means a city subject to this Act; "state" means the State of Alabama; "Authority" means a public corporation organized under this Act; "Board" means the Board of Directors of the Authority; "Director" means a member of the Board; "Bond" means any bond authorized to be issued under this Act; "Coupon" means any interest coupon evidencing an installment of interest payable with respect to a

bond; "governing body" means the body in which the general legislative powers of the city are vested; "indenture" means a mortgage, an indenture of mortgage, deed of trust, trust agreement, or trust indenture executed by the Authority as security for its bonds; "parking facility" means any building, structure, land, right-of-way, equipment or instrumentality used or useful in connection with the construction, enlargement, development, maintenance or operation of an area or building for off-street parking of motor vehicles, or in connection with the exercise of any power of the Authority.

Section 4. Authority and Procedure to Incorporate. Pursuant to the provisions of this Act, a municipal parking authority may be organized in any city of the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census. Such parking authority shall be organized as a public corporation with the powers hereinafter set forth. To organize such corporation, not less than three natural persons shall file with the governing body of the city an application in writing for permission to incorporate a public corporation under the provisions of this Act and shall attach to such application a proposed form of certificate of incorporation for such corporation. If the governing body with which the application is filed shall adopt a resolution (which need not be published or posted) approving the form of such certificate of incorporation and authorizing the formation of such a public corporation, then the said applicants shall become a public corporation in the manner hereinafter provided, using for that purpose the form of certificate so approved.

Section 5. Contents of Certificate of Incorporation. The certificate of incorporation of the Authority shall state: (a) the names of the persons forming the Authority, together with residence of each, and a statement that each of them is a duly qualified elector of the city and is the owner of property in the city; (b) the name of the Authority (which shall include the words "Parking Authority"); (c) the period for the duration of the Authority (if the duration is to be perpetual, that fact shall be so stated); (d) the name of the city authorizing the creation of the Authority, together with the date on which the governing body thereof adopted a resolution authorizing the incorporation of the Authority; (e) the proposed location of the principal office of the Authority, which shall be within the boundaries of the city; and (f) any other matters relating to the Authority that the incorporators choose to insert and that are not inconsistent with this Act or other laws of the state.

Section 6. Execution and Recording of Certificate of Incorporation. The certificate of incorporation of the Authority shall be signed and acknowledged by the incorporators before an officer authorized by the laws of the State to take acknowledgments to deeds and shall have attached thereto a certified copy of the resolution provided for in Section 4 hereof and a certificate by the Secretary of State that the name proposed for the Authority is not identical to that of any other corporation organized under the laws of the State or so nearly similar thereto as to lead to confusion and uncertainty. The certificate of incorporation of the Authority, together with the documents required by the preceding sentence to be attached thereto, shall be filed for record in the office of the Judge of Probate of the county in which the principal office of the Authority shall be located. The Judge of Probate shall forthwith receive and record the same. When such a certificate of incorporation and attached documents have been so filed, the Authority referred to therein shall come into existence and shall constitute a public corporation under the name set forth in such certificate of

incorporation, whereupon the Authority shall be vested with the rights and powers herein granted.

Section 7. Change of Name and Amendment of Certificate of Incorporation. From time to time the name of the Authority may be changed and the certificate may be amended in the manner provided for in this Section 7 and in no other manner.

The name of the Authority may be changed, or the certificate may be amended, in accordance with any resolution of the Board of Directors, providing for any such change of name or amendment of the certificate, filed in the office of the Probate Judge of the County, in accordance with the provisions of this Section 7. No such resolution of the Board of Directors shall be filed in the office of the Probate Judge unless there is attached thereto a duly certified copy of a resolution of the governing body, entered upon the minutes of such governing body, approving such resolution of the Board of Directors; and if such resolution provides for a change in the name of the Authority, the resolution shall not be filed in the office of the Probate Judge unless there is attached thereto a certificate by the Secretary of State of the State that the name to be adopted by the change is not identical with that of any other corporation in the State or so nearly similar thereto as to lead to confusion and uncertainty. The amendment of the certificate, or the change of name, as the case may be, shall become effective when there is filed in the office of the Probate Judge the resolution of the Board of Directors, accompanied by the resolution of the governing body and the certificate of the Secretary of State, above provided for, if a change of name is involved.

Section 8. Board of Directors of the Authority. Authority shall be governed by a Board of Directors of three members, elected by the governing board of the city. Each member of the Board, or of any county, city or town therein shall, while holding such office, be eligible to serve as a director. The initial directorships shall be numbered 1, 2 and 3. The first term for directorship 1 shall be for two years. The first term for directorship 2 shall be for three years. The first term for directorship 3 shall be for four years. Irrespective of when the first elections of the three directorships occur, the first terms provided for above, shall commence on, or run from, the first day of the first calendar month next succeeding the month in which this Act becomes applicable to the city. The terms for all directorships subsequent to the first term, provided therefor, shall be for four years, with the terms commencing upon the expiration of the first terms which are provided for above respectively for the three directorships.

If a director resigns, dies or becomes incapable or ineligible to act as a director, a successor to serve the unexpired portion of his term shall be elected in the manner provided for above. Directors shall be eligible for reelection.

A majority of the members of the Board of Directors shall constitute a quorum for the transaction of business but any meeting of such Board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the Board of Directors shall impair the right of a quorum to exercise all the powers and duties of the Authority. The Board of Directors shall hold regular meetings on the second Tuesday in each month and at such other times as may be provided in the by-laws of the Authority; and such Board may hold other

meetings at any time and from time to time, provided that upon call of the chairman of the Authority or any two directors, a special meeting of the Board must be held. Any matter on which the Board of Directors is authorized to act may be acted upon at any regular, special or called meeting. At the request of any director, the vote on any question before the Board shall be taken by yeas and nays and entered upon the record. All proceedings of the Board shall be reduced to writing by the secretary of the Authority, recorded in a well-bound book and open to each director and to the public at all times. Copies of such proceedings, when certified by the secretary of the Authority under its seal, shall be received in all courts as evidence of the matters and things therein certified.

No director shall receive any compensation from the Authority; but each director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties.

Any director of the Authority may be removed from office by the governing body in the same manner, and on the same grounds as provided for in Section 451, Title 37, Code of Alabama of 1940, for removal of officers appointed by a city council.

Section 9. Officers of the Authority. The officers of the Authority shall consist of a chairman of the Board, a vice-chairman of the Board, a secretary of the Authority, a treasurer of the Authority and such other officers as the Board deems necessary to accomplish the purposes for which the Authority is organized. The chairman and vice-chairman of the Board shall be elected by the Board from its membership, but the secretary, treasurer and other officers need not be members of the Board. The secretary of the Authority shall also be secretary of the Board. The offices of secretary and treasurer may, but need not be, held by the same person. The chairman, vice-chairman and secretary shall be elected by the Board for a term of one year, and the treasurer and the other officers of the Authority shall be elected by the Board for such term as it deems advisable. Subject to the provisions of its certificate of incorporation, the Authority shall be empowered to employ all personnel as it deems necessary and to fix the terms and conditions of their employment. The duties of the chairman, vice-chairman, secretary and treasurer shall be such as are customarily performed by such officers and as may be prescribed by the Board. The duties of any other officer of the Authority shall be such as are from time to time prescribed by the Board.

Section 10. Powers of the Authority. The Authority shall have the following powers, together with all powers incidental thereto or necessary to the discharge thereof in corporate form; (1) to have succession by its corporate name for the duration of time (which may be in perpetuity) specified in its certificate of incorporation; (2) to sue and be sued in its own name in civil suits and action; (3) to adopt and make use of a corporate seal and to alter the same at pleasure; (4) to adopt and alter by-laws for the regulation and conduct of its affairs and business; (5) to acquire, receive, take and hold, whether by purchase, gift, lease, devise, eminent domain, or otherwise, property of every description, whether real, personal or mixed, and to manage said property, and to develop any undeveloped property owned, leased or controlled by it, provided, however, that no such Authority shall acquire or lease real property located outside the boundaries of the city; (6) to execute such contracts and other instruments and to take such other action as may be necessary or convenient to carry out the purposes of this Act or the exercise of any power granted hereunder; (7) to plan, establish, develop, acquire, construct, enlarge,

improve, maintain, equip, operate, regulate and protect parking facilities and retail and/or service establishments that may be developed in connection with said parking facilities; (8) to lease or cause to be leased through authorized agencies such facilities or any one or more of them to such tenant or tenants for such period and such compensation or rental and on such conditions as the Authority may prescribe, subject to the limitations stated in Section 11 of this Act; (9) to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; (10) to pledge for payment of such bonds any revenues and funds from which such bonds are made payable; (11) to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes for which the Authority was organized; (12) to appoint, employ, contract with and provide for compensation of such officers, employees and agencies, including engineers, attorneys, consultants, realtors, fiscal advisers and such other employees as the business of the Authority may require, including the power to fix working conditions by general rule and other conditions of employment, and, at its option to provide a system of disability pay, retirement compensation and pensions, or any of them, and to hire and fire servants, agents, employees and officers at will; (13) to fix, establish, collect and alter parking fees, tolls, rents and other charges for the use of any parking facility or other property developed, owned or controlled by the authority in conjunction with said parking facilities; (14) to make and enforce rules and regulations governing the use of any parking facility owned or controlled by the Authority; (15) to secure such insurance, including use and occupancy insurance, as the Board may deem advisable; (16) to invest any funds of the Authority that the Board may determine are not presently needed for its corporate purposes in any obligations which are direct general obligations of the United States of America or which are unconditionally guaranteed as to both principal and interest by the United States of America, or in bonds of this State or any county, city or town therein; (17) to cooperate with the State, any county, city, town, public corporation, agency, department, or political subdivision of the State, and to make such contracts with them or any of them as the Board may deem advisable to accomplish the purposes for which the Authority is established; (18) to sell and convey any of its properties that may have become obsolete or worn out or that may no longer be needed or be useful; (19) to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, and from the State, any department or agency thereof and any political subdivision thereof, and to receive and accept money, property, labor or other things of value from any source whatever; and (20) to purchase equipment and supplies necessary or convenient for the exercise of any power of the Authority.

Section 11. Authority's Operating Parking Facilities, or Contracting with a Person to Operate Said Facilities, or Leasing the Facilities. As used in this Section 11, the word "person" means a natural person, a corporation, a partnership or unincorporated association.

It is hereby declared to be the public policy of this State, with respect to each parking facility, that upon an Authority's acquiring a parking facility the Authority shall carefully consider and decide, whether it is in the public interest that the Authority itself operate such facility, enter into a contract with some person to operate such facility for the Authority, or lease such facility. Among the factors the Authority shall consider in making such decision are the following: (a) the relative efficiency of the

alternate operations; (b) the relative economy of the three alternate operations; and (c) the overall advantage and benefit to the Authority and the public of the alternate operations.

In order to make the foregoing determination the Authority shall ascertain the following: the amount necessary in each year to pay the principal of, and interest on, the bonds proposed to be issued to finance the parking facility; the amount necessary to be paid each year to any reserve fund which the Board deems is advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased provide that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured.

The Board shall not enter into any lease of the parking facility unless the lease provides for the lessee to pay to the Authority an amount sufficient to meet the amortization requirements during the term of the lease and to pay the cost of keeping the parking facility in good repair and keeping it properly insured, unless the lease obligates the lessee, at lessee's expense, to keep the facility in good repair and properly insured.

The lease agreement may, at the discretion of the Board, contain provisions describing minimum operating hours, maximum charges to be collected by the lessee, and other terms the lessee will be required to observe in operating the parking facility.

Section 12. Federal and State Aid. The Authority is hereby authorized to accept, receive, receipt for, disburse and expend Federal and State moneys and other moneys, public or private, made available by grant or loan or both, to accomplish, in whole or in part, any of the purposes of this Act. All Federal moneys accepted under this section shall be accepted and expended by the Authority upon such terms and conditions as are prescribed by the United States and as are not inconsistent with the laws of this State, and all State moneys accepted under this section shall be accepted and expended by the Authority upon such terms and conditions as are prescribed by law.

Section 13. Cooperation. For the purpose of aiding and cooperating with the Authority in the planning development, undertaking, construction, extension, improvement or operation of parking facilities, any county, city, town or other political subdivision, public corporation, agency or instrumentality of this State may, upon such terms and with or without consideration, as it may determine:

- (a) Lend or donate money to the Authority;
- (b) Donate, transfer, assign, sell or convey to the Authority any right, title, or interest which it may have in any lease, contract, agreement, license or property;
- (c) Do any and all things, whether or not specifically authorized in this section and not otherwise prohibited by law, that are necessary or convenient to aid and cooperate with the Authority in the planning, undertaking, construction or operation of parking facilities.

Section 14. Bonds of the Authority. The Authority shall have the power and is hereby authorized at any time and from time to time to issue

and sell its interest bearing revenue bonds for any of its corporate purposes. The principal of and the interest on all such bonds shall be payable solely from, and may be secured by a pledge of, the revenues derived by the Authority from the operation of any or all of its parking facilities and other property, or by mortgage of any property of the Authority. None of the bonds issued or contracts entered into by the Authority shall ever constitute or create an obligation or debt of the State, or of any county, city or town within the State, or a charge against the credit or taxing powers of the State, or of any county, city or town within the State unless specifically authorized and approved by any said county, city or town within the State. Bonds of the Authority may be issued at any time and from time to time, may be in such form and denominations, may be of such tenor, may be payable in such installments and at such time or times not exceeding forty years from their date, may be payable at such place or places whether within or without the State, and may bear interest at such rate or rates payable and evidenced in such manner, all as shall not be inconsistent with the provisions of this Act and as may be provided in the proceedings of the Board wherein the bonds shall be authorized to be issued. Any bond having a stated maturity more than ten years after its date shall be made subject to the redemption at the option of the Authority not later than the expiration of ten years from its date and on any interest payment date thereafter at such price or prices and after such notice or notices and on such terms and in such manner as may be provided in the proceedings of the Board wherein it is authorized to be issued. Bonds of the Authority may be sold at public or private sale in such manner and from time to time as may be determined by the Board. The Authority may pay all reasonable expenses, premiums, fees and commissions as the Board may deem necessary or advantageous in connection with the authorization, sale and issuance of its bonds. All bonds shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive that they have been duly authorized pursuant to the provisions of this Act. Neither a public hearing nor consent of the State Department of Finance shall be prerequisite to the issuance of bonds by any Authority. Notwithstanding the fact that they are payable solely from a specified source, all bonds issued under the provisions of this Act shall be deemed negotiable instruments within the meaning of the negotiable instruments law of the State if they otherwise possess all the characteristics of negotiable instruments under the laws of the State.

Section 15. Execution of Bonds. All bonds shall be signed by the chairman or vice-chairman and the secretary or treasurer of the Authority and the seal of the Authority shall be affixed thereto; provided that a facsimile of the signature of one, but not both, of the officers whose signatures will appear on the bonds may be imprinted or otherwise reproduced thereon in lieu of his manually signing the same; and provided further, that a facsimile of the seal of the Authority may be imprinted or otherwise reproduced on the bonds in lieu of being manually affixed thereto. Coupons shall be signed by the chairman or vice-chairman and the secretary or treasurer of the Authority, but a facsimile of the signature of such chairman or vice-chairman and such secretary or treasurer may be impressed or otherwise reproduced on any such interest coupons in lieu of their manually signing the same. Delivery of bonds so executed shall be valid notwithstanding any changes in officers or in the seal of the Authority after the signing and sealing of the bonds.

Section 16. Security for Bonds. In the discretion of the Authority any bonds may be issued under and secured by an indenture between the

Authority and a trustee. Said trustee may be a private person or corporation, including but not limited to any trust company or bank having trust powers, whether such bank or trust company is located within or without the State. In any such indenture or resolution providing for the issuance of bonds the Authority may pledge, for payment of the principal of and the interest on such bonds, any of its revenues to which its right then exists or may thereafter come into existence and may assign, as security for such payment, any of its leases, franchises, permits and contracts; and in any such indenture the Authority may mortgage any of its properties, including any properties thereafter acquired by it. Any such pledge of revenues shall be valid and binding from the time it is made, and the revenues so pledged and thereafter received by the Authority and any property of the Authority so mortgaged shall immediately become subject to the lien of such pledge without any physical delivery thereof or further act. The lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether the parties have actual notice thereof, from the time a statement is filed in the office of the Judge of Probate of the county in which is located the principal office of the Authority. Such notice need state only the date on which the resolution authorizing the issuance of the bonds was adopted by the Board, the principal amount of bonds issued, a brief description of the revenues so pledged and also a brief description of any property mortgaged or any property the revenue from which is pledged. In any indenture or resolution authorizing the issuance of bonds and pledging for the benefit thereof revenues from any one or more of its parking facilities, the Authority shall have the power to include provisions customarily contained in instruments securing evidence of indebtedness, including, without limiting the generality of the foregoing, provisions respecting the collection, segregation and application of any rental or other revenues due to or to become due to the Authority, the terms to be incorporated in any lease agreement respecting any property of the Authority, the maintenance and insurance of any building or structure owned by the Authority, the creation and maintenance of special funds from any revenue of the Authority and the rights and remedies available in the event of default to the holder of the bonds or the trustee under the indenture, all as the Board shall deem advisable and as shall not be in conflict with the provisions of this Act. If there be any default by the Authority in payment of the principal of or the interest on the bonds or in any of the agreements on the part of the Authority that may properly be included in any indenture securing the bonds, any holder of any of the bonds or any of the coupons, or the trustee under any indenture if so authorized in such indenture, may (in addition to any other remedies herein provided or otherwise available) either at law or in equity, by suit, action, mandamus or other proceedings, enforce payment of such principal or interest and compel performance of all duties of the Board and officers of the Authority, and shall be entitled as a matter of right and regardless of the sufficiency of any such security to the appointment of a receiver in equity with all the powers of such receiver for the operation and maintenance of the property of the Authority covered by such indenture and the collection, segregation and application of revenues therefrom. The indenture may also contain provisions restricting the individual rights of action of the holders of the bonds and coupons.

Section 17. Use of Proceeds from Sale of Bonds. The proceeds derived from the sale of any bonds (other than refunding bonds) may be used only to pay the cost of acquiring, constructing, improving, enlarging

and equipping the parking facilities or property with respect to which they were issued, as may be specified in the proceedings in which the bonds are authorized to be issued. Such cost shall be deemed to include the following: the cost of any land forming a part of such facilities; the cost of labor, material and supplies used in any such construction, improvement or enlargement, including architects' and engineers' fees and the cost of preparing contract documents and advertising for bids; the purchase price of and the cost of installing equipment for the facilities; the cost of landscaping the lands forming a part of such facilities and of constructing and installing roads, sidewalks, curbs, gutters and utilities in connection with the facilities; legal, fiscal and recording fees and expenses incurred in connection with such facilities; and interest on said bonds for a reasonable period prior to and during the time required for such construction and equipment and for not exceeding eighteen months after completion of such construction and equipment. If any of the proceeds derived from the sale of said bonds remains undisbursed after completion of such work and payment of all of the said costs and expenses, such balance shall be used for retirement of the principal of the bonds of the same issue.

Section 18. Refunding Bonds. The Authority may at any time and from time to time issue refunding bonds for the purpose of refunding the principal of and the interest on any bonds of the Authority theretofore issued hereunder and then outstanding, whether or not such principal and interest shall have matured at the time of such refunding, and for the payment of any expenses incurred in connection with such refunding and any premium necessary to be paid in order to redeem, retire or purchase for retirement the bonds to be refunded. The proceeds derived from the sale of any refunding bonds shall be used only for the purposes for which the refunding bonds were authorized to be issued. Any such refunding may be effected either by sale of the refunding bonds and the application of the proceeds thereof, or by exchange of the refunding bonds for the bonds or interest coupons to be refunded thereby; provided that the holders of any bonds or coupons so to be refunded shall not be compelled without their consent to surrender their bonds or coupons for payment of exchange prior to the date on which they may be paid or redeemed by call of the Authority under their respective provisions. All provisions of this Act pertaining to bonds of the Authority that are not inconsistent with the provisions of this section shall, to the extent applicable, also apply to refunding bonds issued by the Authority. The Authority may at any time and from time to time issue bonds for the purpose of so refunding the principal of and the interest on any of its bonds and for any other purpose for which it is authorized to issue bonds, in which event the provisions hereof respecting refunding bonds shall apply only to the portion of such combined issue authorized for refunding purposes and the provisions hereof respecting other financing shall apply to the remaining portion of such combined issue.

Section 19. Exemption from Taxation. The bonds issued by the Authority and the income therefrom shall be exempt from all taxation in the State. All property and income of the Authority shall be exempt from all State, county, municipal and other local taxation, including license, privilege or excise taxes, provided, however, this exemption shall not be construed to exempt concessionaires, licensees, tenants, operators or lessees of or on any parking facility owned by any Authority from the payment of any taxes levied by the State, the county, or any municipality in the State.

Section 20. Investment of County and Municipal Funds in Bonds of the Authority. The governing body of any county, city or town within this

State is authorized in its descretion to invest in bonds of the Authority any idle or surplus money held in its treasury.

Section 21. Eligibility of Bonds as Investments for Trust Funds. Bonds issued under the provisions of this Act are hereby made legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority. Such bonds shall be legal investments for savings banks and insurance companies organized under the laws of the State.

Section 22. Notice of Bond Resolution. Upon the adoption by the Board of any resolution providing for the issuance of bonds, the Authority may in its discretion cause to be published once a week for two consecutive weeks, in a newspaper that is customarily published in this State not less than five days in each calendar week and distributed in the county in which is located the principal office of the Authority, a notice in substantially the following form (the blanks being properly filled in) at the end of which there shall be printed the name and title of either the chairman or secretary of the Authority: "_____ a public corporation of the State of Alabama, on the _____ day of _____, _____, authorized the issuance of \$_____ principal amount of revenue bonds of the said corporation for purposes authorized in the act of the Legislature of Alabama under which the said corporation was organized. Any action or proceeding questioning the validity of the said bonds, or the pledge and any instruments securing such bonds, or the proceedings authorizing the same, must be commenced within thirty days after the first publication of this notice." Any action or proceeding in any court to set aside or question the proceedings for the issuance of the bonds referred to in said notice or to contest the validity of any such bonds of the validity of the pledge and any instruments made to secure such bonds must be commenced within thirty days after the first publication of such notice. After the expiration of the said period no right of action or defense questioning or attaching the validity of the said proceedings, the said bonds or the said pledge or instruments shall be asserted, nor shall the validity of the said proceedings, bonds, pledge or instruments be open to question in any court on any ground whatsoever except in an action commenced within such period.

Section 23. Contracting and Purchasing Restrictions. Laws, regulations and ordinances relating to the advertising and award of construction contracts and purchase contracts made by or in behalf of the authorizing subdivision shall be applicable to any authority granted permission to incorporate by said authorizing subdivision. Nothing herein shall exempt such Authorities from laws relating to surety bond requirements for such contracts.

Section 24. (a) At least once every twelve months subsequent to the date whereon an Authority is created hereunder, the City shall appoint an expert accountant who shall make an examination and audit of the records, books and accounts of the Authority and shall make a report in writing to the City and the Authority as to his examination and audit. The accountant's compensation shall be payable out of the funds of the Authority.

(b) The records of the Authority shall constitute public records. Every citizen shall have the right to inspect such records. The officer having custody of such records shall be obligated to furnish to any citizen a

certified copy of any such record on the citizen's demand and payment to the Authority of the same fee as is payable to the Probate Judge of the County for furnishing certified copies of records of the Probate Court.

Section 25. Dissolution of Authority. At any time when no bonds of the Authority are outstanding, the Authority may be dissolved upon the filing with the Judge of Probate, in the county in which is filed the certificate of incorporation, of an application for dissolution, which shall be subscribed by each of the members of the Board and sworn to by each member before an officer authorized to take acknowledgments to deeds. Upon the filing of such application for dissolution, the Authority shall cease to exist. Said Probate Judge shall receive and record the application for dissolution in an appropriate book of record in his office. Upon dissolution, all rights, title and interest of the Authority in property shall be vested in the City.

Section 26. Provisions are Cumulative. The provisions of this Act are cumulative and shall not be deemed to repeal existing laws, except to the extent such laws are clearly inconsistent with provisions of this Act.

Section 27. Severability Clause. In the event any section, sentence, clause, or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this Act, which shall continue effective.

Section 28. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

And said Bill, H. B. 1740, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1822. To amend further Sections 3, 11, 12, 13 and 18 of Act No. 107, H. 150, Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system of the City of Prichard; to provide for the retroactive effect of the amendatory provisions of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Bank, Edwards, Ellis, Fine, Flipppo, Foshee, Gilmore, King, Little, Littleton, McMillan, Mims, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1848. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden to provide for the composition of said board; to provide for a secretary-treasurer of said board; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

was taken up.

Mr. Waldrop offered the following substitute for the Bill, H. B. 1848, to-wit:

SUBSTITUTE FOR H. B. 1848**A BILL
TO BE ENTITLED
AN ACT**

To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama to provide for the composition of said board; to provide for a secretary-treasurer of said board and custodial care of such funds; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply only to the City of Gadsden, Alabama.

Section 2. There is hereby created, in connection with the regularly organized and paid police department and fire department of the City of Gadsden, a board of trustees of the policemen and firemen's retirement fund. Such board shall be known and called the Board of Trustees of the Policemen's and Firemen's Retirement Fund of the City of Gadsden. The board of trustees shall be constituted and selected as hereinafter provided and directed; and in each city to which this act applies there is also created a policemen's and firemen's retirement fund for the benefit of persons hereinafter named, to be derived and raised in the manner hereinafter provided. The policemen's and firemen's retirement fund of the City of Gadsden and the board of trustees of such fund shall, after this act becomes law, be governed by this act, and such fund shall be managed and controlled by a board of trustees conforming to this act.

Section 3. The board of trustees of the policemen's and firemen's retirement fund shall be composed of seven members consisting of the Commissioner of Public Safety of the City of Gadsden who has supervision over the police and fire departments who shall be chairman of the Board of Trustees; the Mayor of the City of Gadsden; the Commissioner of Public Works of the City of Gadsden; the chief of the police department, the chief of the fire department; one first-class patrolman of the police department to be elected for a four year term within thirty (30) days after the enactment of this act by a simple majority vote of the police department; and one first-class fireman to be elected for a four year term within thirty (30) days after the enactment of this act by a simple majority vote of the fire department; all of whom shall serve without compensation. In the event of a vacancy in either of the latter two positions, the successor or successors shall be elected in the same manner within thirty (30) days after the occurrence of such vacancy.

All proposed rules and regulations by the board of trustees necessary to carry into execution the purposes for which it was organized and created shall be posted in all police and fire stations in the City of Gadsden at least ten (10) days before said trustees shall consider or take action either in favor or against said rules and regulations.

Section 4. The board of trustees, if it so elects, and with the approval of the governing body of said city, shall have the power and authority to appoint a secretary-treasurer of said board who shall serve at the pleasure of said board and who shall receive as compensation for his services the sum of twenty-five (\$25.00) dollars per month or such other amount of compensation as the board of trustees shall provide by majority vote and shall be approved by the governing body of said city, to be paid on the first day of each month by warrant drawn in like manner as other warrants on such fund. The secretary-treasurer of the board of trustees is hereby made, and it shall be his duty to be the custodian of all monies belonging to the policemen's and firemen's retirement fund, and all monies belonging to such fund, and all money or other property belonging to any similar fund now or hereafter maintained in any city to which this act applies shall be promptly paid to him. The said secretary-treasurer shall also be custodian of all securities and things of value belonging to such fund. The secretary-treasurer shall before taking office, make bond in a sum to be fixed from time to time by resolutions of the governing body of the city, to be approved by the chairman of the board of trustees in a surety company authorized to do business in Alabama for the faithful performance of the duties imposed upon him under this subdivision, and for the faithful accounting of all monies, and things of value which may

come into his hands, as such treasurer of such fund, and he shall keep a separate account thereof, which shall at all times show the true condition of such fund. Upon the resignation or removal from office of such secretary-treasurer he shall surrender and deliver up to his successor all bonds, securities, and all unexpended monies or other properties which may have come into his hands as treasurer of such fund. It shall be the duty of the secretary-treasurer of said board to keep, in a book provided for that purpose, a full and complete record of all proceedings of the board of trustees, and he shall perform such other duties as may be assigned to him by the board of trustees.

Notwithstanding anything to the contrary in this act, the board of trustees, with the approval of the governing body of said city, may elect by majority vote to allow any insurance company or financial institution of its choice to exercise custodial care thereof, and make investments with, all monies in said retirement fund; and provided further that any such delegation of custodial care shall not become effective until written notice of such delegation is posted in all police and fire stations of said city, and after ten (10) days notice thereof an election is held in each of said departments, in which election a simple majority of the contributing members, by secret ballot, vote in favor of such delegation. Custodial care of said retirement fund, if delegated to an insurance company or financial institution, shall obligate the custodian as follows:

1. To accept fiduciary responsibility for said fund.
2. To prepare for the board of trustees, upon demand, a report on the financial condition of said fund.
3. To provide benefits for the members of the policemen's and firemen's retirement fund, as agreed upon by such custodian and the board of trustees of said fund.

Section 5. The board of trustees of the policemen's and firemen's retirement fund is hereby declared to be the trustee of the policemen's and firemen's retirement fund and shall have the exclusive management and control thereof, and all matters legitimately connected therewith. The board of trustees shall have the power to recommend such rules and regulations as may be necessary to enable it effectively and properly to carry into execution the purposes for which it was organized and created, and to enable it properly to manage and conduct the business entrusted to it, provided such rules and regulations shall in no way contravene the provisions of this act; and provided further that such rules and regulations so recommended shall not become effective until written notice of such recommendations is posted in all police and fire stations of said city, and after ten (10) days notice thereof, an election is held in each of said departments, in which election a simple majority of the contributing members in each of said departments, by secret ballot, vote in favor of such recommendations. The board of trustees shall hear and decide all applications for pensions or relief under this act and its decisions shall be final except for an appeal as hereinafter provided. The said board of trustees shall meet whenever the chairman thereof or a majority of the board of trustees shall call a meeting of such board.

This section of the act shall be considered subordinate to Sections 2 and 4 and those sections shall prevail.

1. Upon the recommendation of the Commissioner of Public Safety of the City of Gadsden and with the approval of the governing body of said

city, charges shall be made as follows and all revenues derived therefrom shall be paid into the policemen's and firemen's retirement fund:

(a) A \$5.00 court cost shall be added on all cases resulting in conviction in the recorder's court of said city to which this act applies.

(b) A \$3.00 fee shall be charged for all fire reports and forms; an additional \$1.50 per picture requested by any insurance firm or individual other than the news media and other fire departments or their representatives shall be charged. Rent and paper for the machine shall be charged to the fund.

(c) A \$3.00 fee shall be charged on all identification pictures, report copies, and fingerprints requested from the police department. This fee shall not be charged or collected when obtaining pictures, report copies and fingerprints for use in law enforcement.

(d) All seized or unclaimed property impounded by said city police department to which this act applies and sold after a period of one year, at public auction.

(e) All motor vehicles impounded by said city police department to which this act applies shall have a minimum of \$5.00 as impounded fee attached, including a \$1.00 per day storage fee to be collected by the city.

(f) All impounded motor vehicles not claimed or transferred back to the owner within 90 days will be auctioned to the public.

(g) Upon approval of said governing body all city facilities, buildings, property and concessions upon availability shall be open to the use of the fire and police department's pension committee to have benefits and other fund raisings at actual cost.

(h) Ten percent (10%) of the monthly salaries of each member of the police and the fire departments, shall be paid by the city clerk to the secretary-treasurer of the board of trustees on the first day of each month; and said 10% of such salaries shall be deducted from the salaries paid each member. The governing body of said city to which this act applies shall cause to be paid into the policemen's and firemen's retirement fund, out of the treasury of the city, beginning January 1, 1976, an amount equal to 15.68% of the salary of each member of such police and fire departments who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section. After the effective date of this act, the governing body of said city, upon recommendation of the Commissioner of Public Safety, in order to maintain the financial stability of said fund, by ordinance, may increase the contributions by employee and employer into said retirement fund.

(i) The city shall pay an amount equal to 15.68% as long as the police and fire departments are not covered by social security.

(j) In the event the City of Gadsden levies a tax on fire and burglary insurance premiums, the proceeds of such tax shall be earmarked for the policemen's and firemen's pension fund.

(k) The City of Gadsden shall be responsible for the financial stability of said fund, and in order to fulfill that responsibility the city governing body, upon recommendation of the Commissioner of Public Safety, is hereby authorized, by ordinance, to take whatever steps it deems

necessary to obtain additional revenue to insure the financial stability of said funds.

Section 6. The policemen's and firemen's retirement fund shall consist of the following:

1. All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the City of Gadsden.

2. All monies or properties that may be given or donated to said fund by any persons, firm, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund.

3. All reward money paid to any member of the police and fire departments of said city shall be paid by the recipients of the same into said retirement fund promptly upon receipt of the same.

4. All civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in Etowah county wherein the city employing them is located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same.

5. The city clerk of all cities to which this act applies shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February 1946, and all such fees hereafter collected by the city.

6. Upon the recommendation of the Commissioner of Public Safety of the City of Gadsden and with the approval of the governing body of said city charges shall be made as follows and all revenues derived therefrom shall be paid into the policemen's and firemen's retirement fund:

(a) A \$5.00 court cost shall be added on all cases resulting in conviction in the recorder's court of said city to which this act applies.

(b) A \$3.00 fee shall be charged for all fire reports and forms; an additional \$1.50 per picture requested by any insurance firm or individual other than the news media and other fire departments or their representatives shall be charged. Rent and paper for the machine shall be charged to the fund.

(c) A \$3.00 fee shall be charged on all identification pictures, report copies, and fingerprints requested from the police department. This fee shall not be charged or collected from law enforcement agencies when obtaining such pictures, report copies, and fingerprints for use in law enforcement.

(d) All seized or unclaimed property impounded by said city's police department and sold after a period of one year, at public auction.

(e) All motor vehicles impounded by said city's police department shall have a minimum of \$5.00 as impounded fee attached, including a \$1.00 per day storage fee to be collected by the city.

(f) All impounded motor vehicles not claimed or transferred back to the owner within 90 days will be auctioned to the public.

(g) Upon approval of said governing body all city facilities, buildings, property and concessions upon availability shall be open to the use of the fire and police departments' pension committee to have benefits and other fund raisings at actual cost.

(h) Ten percent (10%) of the monthly salaries of each member of such police and fire departments, which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said 10% of such salaries shall be deducted from said salaries paid each member. The governing body of the said city to which this act applies shall cause to be paid into the policemen's and firemen's retirement fund, out of the treasury of the city, beginning January 1, 1976, an amount equal to 15.68% of the salary of each member of such police and fire department who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section. After the effective date of this act, the governing body of said city, upon the recommendation of the Commissioner of Public Safety, in order to maintain the financial stability of said fund, by ordinance, may increase the contributions by employee and employer into said retirement fund.

(i) The city shall pay an amount equal to 15.68% as long as the police and fire departments are not covered by social security.

(j) In the event the City of Gadsden levies a tax on fire and burglary insurance premiums, the proceeds of such tax shall be earmarked for the policemen's and firemen's pension fund.

(k) The City of Gadsden shall be responsible for the financial stability of said fund, and in order to fulfill that responsibility the city governing body, upon recommendation of the Commissioner of Public Safety, is hereby authorized, by ordinance, to take whatever steps it deems necessary to obtain additional revenue to insure the financial stability of said funds.

Existing funds and property belonging to or part of any existing similar fund in said city to which this act applies and hereby brought under this act shall be hereafter governed by the provisions of this act, shall be held and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement fund as provided herein, immediately upon this law becoming effective.

Section 7. The board of trustees of the policemen's and firemen's retirement fund may, at any time, with the approval of the governing body of said city employing such policemen and firemen, after considering the probable demands upon such fund in the near future, determine what portion of such fund may be safely withdrawn for investment for revenue purposes, and having determined what portion thereof shall be so withdrawn for that purpose, said board of trustees shall then determine in what manner such investment shall be made, and all proceedings of said board of trustees relating thereto shall be entered at length upon its records. Such investment shall only be by purchase of the interest bearing bonds of the United States of America, or in any stock, security, investment, or deposit which is guaranteed by the United States Government or any of its instrumentalities; provided, however, the board may by majority vote elect to invest up to forty percent (40%) of the total assets of the pension fund in such classes of bonds, mortgages, common and preferred stock or other investments as are allowed by the laws of Alabama to domestic life insurance companies, or by a majority vote of

policemen and firemen up to 100% of said fund may be invested in any sound financial institution to include insurance companies or bank or trust companies. All income from such investments shall be and become a part of said policemen's and firemen's retirement fund. All such securities shall be deposited with the secretary-treasurer of the board of trustees, and shall be subject to the management and control of said board of trustees of the policemen's and firemen's retirement fund.

This section of the act shall be considered subordinate to Section 4 and Section 4 shall prevail.

Section 8. The board of trustees or custodian of funds designated by said board shall make a monthly report to the governing body of said city employing such policemen and firemen concerning the condition of such policemen's and firemen's retirement fund. The said board of trustees shall keep minutes of every meeting in a well bound book designed for that purpose which said minute book shall be available to any contributing member of said police department or fire department on his request. Each six months said board of trustees shall post in a conspicuous place in each police station and each fire station in said city a statement itemizing all receipts, disbursements, expenditures and pensions paid by said board for the preceding six (6) months period, stating in detail the source of such receipts, and to whom all such expenditures, disbursements and pension payments were made, together with the amount of each. All such records shall be available to any contributing member at any time upon request.

Section 9. All monies ordered to be paid from such policemen's and firemen's retirement fund shall be paid by the secretary-treasurer of such fund only upon warrants signed by the chairman of such board of trustees and countersigned by one associate member of such board of trustees and by the secretary-treasurer; and no warrant shall be drawn on such fund except by order of the board of trustees, which shall be duly and regularly entered in the record of the proceedings of the board of trustees. Any monies wrongfully paid from such fund shall be charged against the members of said board of trustees.

This section of the act shall be subordinate to Section 4 and Section 4 shall prevail.

Section 10. No portion of the said policemen's and firemen's retirement fund shall, before or after its order for distribution by the board of trustees to the person or persons entitled thereto under the provisions of this sub-division, be held, seized, taken, subjected to, detained, or levied upon, by virtue of any attachment, garnishment, execution, injunction, writ, order, decree or any other process whatsoever, issued out of or by any court of this state, for the payment or satisfaction, in whole or in part, of any debt, damage, demand, claim, judgment or decree, against any beneficiary of such fund, but shall be exempt therefrom. Said fund shall be sacredly kept, held and distributed for the purposes named in this subdivision, and for no other purpose whatsoever.

Section 11. If at any time there shall not be sufficient money in the policemen's and firemen's retirement fund to pay each person entitled to the benefit thereof, the full amount per month as herein provided or any time the principal of the fund reaches an amount of \$700,000 or less, then an equal percentage of such monthly payment or payments shall be made to each beneficiary until the said fund shall be replenished to warrant the payment in full to each of the said beneficiaries; provided that the

provisions of this section concerning prorated payments shall not be interpreted to include those members drawing survivors benefits and those members of said fund who are one-hundred percent disabled and have no other personal income except those benefits derived from the provisions of this act. The board of trustees, or insurance custodian as provided for in this act, is authorized to take such action as it deems necessary periodically to determine the actuarial status of the pension fund.

Section 12. 1. In order to preserve the financial integrity of said pension fund, the Board of Trustees, if it deems necessary, shall have the authority to prorate those benefits received by said members who retired on or before October 1, 1975 as follows:

(a) Excluding retirement benefits and interest received from personal bank accounts, those members who report personal gross income on federal income tax returns in excess of \$10,000 a year may have their benefits reduced by thirty percent.

(b) Excluding retirement benefits and interest received from personal bank accounts, those members who report personal gross income on federal income tax returns in excess of \$7,500 but less than \$10,000 a year may have their benefits reduced by twenty percent.

(c) Excluding retirement benefits and interest received from personal bank accounts, those members who report personal gross income on federal income tax returns in excess of \$5,000 but less than \$7,500 may have their benefits reduced by ten percent.

Provided that the provisions of this section concerning prorated payments shall not be interpreted to include those members drawing survivors benefits and those members of said fund who are one-hundred percent disabled and have no other personal income except those benefits derived from the provisions of this act.

The Board of Trustees shall have the power to do whatever is necessary and proper to enforce the provisions of Section 12, Subsection 1.

2. No person retired after October 1, 1975 under the policemen's and firemen's retirement fund can be reemployed full time by the City of Gadsden in any department, State of Alabama, any county or municipality therein, political subdivision, Board of Education (state or labor) or any institution supported in whole or part by government funds (local, state or federal), without first having signed an agreement forfeiting his or her pension benefits during the time of reemployment. For purposes of this act, full time employment means twenty (20) hours or more per week. Benefits shall be resumed upon termination of employment. In no instance shall the benefits lost during the time of reemployment be recovered by said person. The provisions of this Section shall not be interpreted to include those members drawing survivor's benefits.

3. Any member of the police and fire department of a city to which this act applies who has been in continuous service thereof for as long as twenty years, upon making written application to the board of trustees therefor shall, without medical examination or disability, be retired from service in such department and upon such retirement the board of trustees shall direct the payment to such retired member, monthly from such fund the amount hereinafter provided for his or her particular position, office, salary, or class of work. However, any member of such police or fire department who has become a new employee as of October 1, 1975, must

serve a mandatory thirty (30) years consecutive service before receiving retirement benefits. Also, any person employed on or before June 1, 1975, who will have served twenty-five (25) years effective June 1, 1980, may then retire at 55% of his or her salary not to exceed \$5,000.00 per year. Also, any person employed on or before June 1, 1975, who will have served thirty (30) consecutive years effective June 1, 1985, may then retire at 60% of his or her salary not to exceed \$6,000.00 per year. In no instance however, may any employee be eligible to retire at 55% of his or her salary not to exceed \$5,000.00 per year until or unless on June 1, 1980, he or she shall have then already served twenty-five (25) consecutive years in such police or fire departments, and in no instance, however, may any employee be eligible to retire at 60% of his or her salary not to exceed \$6,000.00 per year until or unless on June 1, 1985, he or she shall have then already served thirty (30) consecutive years. Each rank must be held three years before retirement. Any person having met the requirements for retiring under this Section must undergo a moratorium period of ninety (90) days before receiving any monthly payment of benefits.

4. All members retiring before the twenty-fifth (25) anniversary date must undergo a moratorium period of at least one full year before receiving any monthly payment of benefits unless the board feels that for reasons of mental or physical disability or some similar tragic circumstances, this requirement could be waived.

5. All members employed prior to June 1, 1975 who retire before the twenty-fifth (25) anniversary date shall undergo a moratorium period of at least one full year before receiving any monthly payment of benefits unless the board feels that for reasons of mental or physical disability or some similar tragic circumstance, this requirement could be waived.

Section 13. 1. The board of trustees shall have the power and authority and it is hereby made mandatory that it shall retire from service in the police and fire departments of any city to which this act applies any members thereof, who has attained the age of sixty-five (65) years, and the said board of trustees shall direct the payment to such retired member, monthly, from said fund, the amount of money hereinafter provided for his, or her, particular position, office, salary, or class of work.

Section 14. Except as otherwise provided in this subdivision each member who has been or who hereafter is retired shall receive a retirement benefit equal to fifty per centum of the salary received at the date of his retirement.

Provided, further, each member who retires after twenty years consecutive service shall ninety days after retirement (unless retired at age 65 or later or for reasons of disability) be paid a retirement benefit of 50% of the salary he or she was receiving at the time of retirement. Each member who retires after having served twenty-five consecutive years and whose retirement commences on or after June 1, 1980, shall be paid a retirement benefit of 55% of the salary (not to exceed \$5,000.00) he or she was receiving at the time of retirement—effective date June 1, 1980. Each member who retires after having served thirty consecutive years and whose retirement commences on or after June 1, 1985, shall be paid a retirement benefit of 60% of the salary (not to exceed \$6,000.00) he or she was receiving at the time of retirement effective June 1, 1985. This section supercedes any subdivision of the law which may be in conflict herewith. In no instance, however, shall any retired member or survivor be entitled to receive an adjustment monetarily to his, or to her retirement benefit, which he or she is now receiving.

Provided, further, that retired personnel shall, if six of the seven trustees approve, receive, ninety (90) days after the approval, up to a maximum of 20% of any increase in salary accorded active members.

Section 15. If any member of the police or fire department of a city to which this act applies is, on proper application, found by the board of trustees to be physically or mentally permanently disabled so as to render him or her unable to fulfill the duties of his or her particular position, or job, the board of trustees shall order and direct, the payment of the proper amount of money as prescribed in this Act, after said board of trustees has directed, or approved the retirement of a physically or mentally disabled member.

Section 16. 1. If a person applies for disability, he or she must undergo an examination by two doctors named by the board of trustees and one of his or her choice. Application for disability retirement must suggest name of one member of panel of doctors to examine the applicant to determine disability and the trustees shall select one and if any dispute, may select a third. After any member of such police or fire department shall have retired upon pension by reason of disability, the said board of trustees shall have the right and authority, at any time, to cause such retired member to be brought before the city physician and two (2) other physicians or surgeons, the retired member having the choice of bringing or selecting either his or her own personal physician, total number of physicians not to exceed the above mentioned number of three. The retired member shall be examined by the above named physicians to determine whether such disability yet continues, and the findings of the three physicians shall determine whether the retired disabled member is capable of returning to active job status. If the findings of the physicians are such that they affirm that the retired disabled member is capable to carry on active job status, then this retired disabled member shall be immediately stricken from the pension roll by the board of trustees, and be immediately notified to return to work in, and to, the respective department from whence he, or she, was retired. If after proper notification, such retired member fails to return to work, after a period of thirty days, or fails to show just cause, either through the courts, or other means, then the person shall forfeit his, or her, right to re-instatement with said city police or fire departments whichever.

2. The board of trustees, when questioned whether a person is legally drawing monies from said pension fund, must, within thirty days appoint a five (5) member investigating committee from the ranks of the police and fire departments, said committee shall return such investigative findings in writing to a meeting of the board of trustees who shall notify the original petitioner of the meeting and request his or her presence.

Section 17. If any active member of such police or fire department, or any member of such department on official leave of absence from such department and in the armed forces of the United States, shall die from any cause whatever, leaving a widow or widower, said board shall direct the payment from said fund, to said widow or widower, of a sum equal to fifty percent of the amount specified in this act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his or her death, said monthly payments to continue to such widow or widower during his or her natural life and while unmarried. Should such deceased member leave no surviving widow or widower, but leave surviving him or her a child or children under eighteen years of age, the

board of trustees shall direct the payment monthly from such fund, until such child or children shall have attained the age of eighteen years, of a sum equal to fifty percent of the amount specified in this act to be paid to a retired fireman or policeman of the same rank as such deceased member at the time of his or her death, to the person having control and custody of such child or children or to such other person as the board of trustees shall direct, said sum to be expended by such person for the benefit of such child or children as may be prescribed by the board of trustees.

Section 18. If any retired member of such police or fire department shall die from any cause, leaving a widow or widower, said board shall direct the continuation, from the date of such death of fifty percent of the monthly retirement payments of such deceased retired member to be paid to such widow or widower of such deceased retired member during his or her natural life while unmarried. Should such deceased retired member leave no widow or widower surviving him or her, but leave surviving him or her a child or children under eighteen years of age, the board of trustees shall direct the payment monthly from such fund, until such child or children shall have attained the age of eighteen years, of a sum equal to fifty percent of the monthly retirement payments of such deceased retired member to the person having control and custody of such child or children or to some other person as the board of trustees shall direct, said sum to be expended by such person for the benefit of such child or children as may be prescribed by the board of trustees.

Section 19. When the widow or widower, or children of an active or retired member of the police or fire departments shall be entitled to benefits under this subdivision, such widow or widower, or children, shall make or cause to be made an application to the board of trustees through the secretary-treasurer of such board which shall show, in the case of the widow or widower, proof of the marriage of the deceased to the claimant, by marriage certificate or other competent evidence, and the ages of such children shall be shown by birth certificate or other competent evidence. All such applications and proofs shall be kept and retained in the custody of the said board of trustees.

Section 20. If any employee terminates his or her employment before becoming eligible for retirement benefits, such employee shall receive a lump sum payment from the board of trustees, within 90 days after filing a written application with said board, said lump sum payment to be based on the following scale:

(A) From 0 to and including the 5th year said employee will receive 100% of all amounts he or she has contributed to said fund.

(B) From 6 to and including the 10th year said employee will receive 100% of all amounts he or she has contributed plus an amount equal to 2% per year of employment contributed by the City of Gadsden.

(C) From 11 to and including 20th year said employee will receive 100% of all amount he or she has contributed plus amount equal to 3% per year of employment contributed by the City of Gadsden.

The above provisions shall apply to only those employees employed before June 1, 1975.

Section 21. No member of said police department or fire department, who is not now contributing to said retirement fund, shall be entitled to participate in said retirement fund, or required to make

contributions thereto, unless at the time he qualifies therefor he may be not less than twenty-one (21) years of age and not more than thirty-five (35) years of age, establish by an examination of him by a duly licensed and practicing physician that he is physically and mentally sound, and establish by examination of duly licensed and qualified specialists that his vision, hearing and heart are in good physical condition.

Section 22. The term "member of such police department" shall include chief of police, assistant chiefs of police, chief of detectives, captain of police, lieutenants of police, sergeants of police, identifications officers, superintendent of identification, lieutenant of detectives, patrolmen and any full time, regularly employed and compensated, bonded and sworn peace officer under the direct supervision of the chief of police of the city. The term "member of such fire department" shall include the following in said department: chief, assistant chiefs, captains, lieutenants, mechanics, drivers, firemen, fire marshall or fire inspector, drill master or instructor, division or battalion chiefs, superintendent of fire alarm systems, and any full time, regularly employed and compensated, officer or employee engaged in fire fighting under the direct supervision of the chief of said fire department. No other officer, employee or person shall be eligible to participate in said retirement fund, notwithstanding the provisions of any civil service law, state statute, city ordinance or rules and regulations of said board.

Section 23. There shall be kept by the secretary-treasurer of the board of trustees a book to be known as the list of retired policemen or firemen. Such book shall also give a full and complete history and record of the action of the said board of trustees in retiring any and all persons under this subdivision, showing the names, date of entering the service of such police or fire department, date of retirement and the reason for such retirement, if any.

Section 24. It shall be the duty of the city attorney or such assistant city attorney as may be designated by the board of commissioners or other governing body of the city to give advice to the said board of trustees in all matters pertaining to the duties of the said board of trustees and the management of such fund, whenever requested to do so, and he shall represent and defend the said board of trustees as its attorney in all suits and actions at law or in equity that may be brought against it, and in all suits and actions in its behalf that may be required or determined upon by said board of trustees. Such city attorney shall serve as such attorney of the board of trustees without compensation additional to the salary paid him as such city attorney.

Section 25. The board of trustees shall be authorized to pay out of such fund all reasonable and necessary expenses including cost of bond herein provided for that may be incurred by it in and about the management and administration of such fund; provided that in no event shall the members of said board of trustees receive any salary or compensation for their services out of said fund.

Section 26. Within ten (10) days after any final decision of the board of trustees, any contributing member including the governing body of such city, feeling aggrieved at the decision of the board of trustees may appeal from any such decision of the circuit court of the county in which such city is located and such appeal shall be heard by a judge sitting without a jury. Upon the filing of any such appeal, notice thereof shall be served upon any member of the board of trustees by the appellant. Such appeal shall be

heard by the court at the earliest possible date, and it shall not be necessary on any such appeal to enter exceptions to the rulings of the board of trustees and no bond shall be required for such an appeal and such an appeal shall be effected by filing a notice and request therefor by the appellant with the clerk of said court. An appeal may be taken from any decision of such court to the court of appeals or the supreme court as now provided by law.

Section 27. The provisions of this act shall supercede all existing provisions of law, general or local relating to the policemen's and firemen's retirement fund of any city to which this act applies, and any such fund existing at the time of the passage of this act is hereby transferred to and made a part of the retirement fund created in this act. All other laws, or parts of laws, in conflict herewith are hereby expressly repealed.

Section 28. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 29. All laws or parts of laws, general or local, which conflict with this act are hereby repealed.

Section 30. This act shall take effect upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perry, Powell, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1848, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), McMillan, Mims, Noonan, Pearson, Perry, Powell, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1853. To provide for and prescribe the form of government for any city having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census; and to provide for the abandonment of the existing form of government.

was taken up.

Mr. Torbert offered the following substitute for the Bill, H. B. 1853, to-wit:

SUBSTITUTE FOR H. B. 1853

A BILL
TO BE ENTITLED
AN ACT

To provide for and prescribe the form of government for any city having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census; to provide for the abandonment of the existing form of government; to provide for a referendum to determine when the provisions of this Act become operative; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Any city in the State of Alabama having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census shall become organized under the commission form of government according to the provisions of this Act.

Section 2. The provisions of this Act shall become operative in any city coming within its purview only if approved by a majority of the electors of the city voting in a referendum to be held in such city on the first Monday after the 30th day following the passage of this Act, or on the first Monday after the 30th day following the date on which such city comes within the purview of this Act. The Judge of Probate of the county wherein such city is located shall order and provide for the holding of the referendum on such date, the expense of such referendum to be paid by such city. The form of the ballots to be used at the election shall be substantially as follows: "Please vote for one of the following alternatives: Shall the provision of Act No. _____, of the 1975 Regular Session of the Legislature, approved the _____ day of _____, 19____, which provides for and prescribes the form of government for cities having populations of not less than 23,000 nor more than 27,000, become effective immediately following the proclamation of the results of this referendum? () OR, Shall the provisions of Act No. _____, of the 1975 Regular Session of the Legislature, approved the ____ day of _____, 19____, which provides for and prescribes the form of government for cities having populations of not less than 23,000 nor more than 27,000 become effective immediately upon the expiration of the terms of the present elected city officials? ()". If a majority of the votes cast in the election favor the first alternative, the provisions of this Act shall become operative immediately. If a majority of the votes cast favor the second alternative the provisions of this Act shall become operative immediately upon the expiration of the terms of the present elected city commissioners. The city clerk of each such city shall notify the Secretary of State of the results of such election.

Section 3. Immediately after the provisions of this Act become operative as provided for in Section 2 of this Act, the Judge of Probate of the County wherein such city is located shall forthwith call an election to be held under and to be governed by the general election laws of Alabama pertaining to municipal elections, the expense thereof to be paid by such city, for the election of three commissioners by the qualified electors of the city. If a majority of the votes are cast in favor of the first alternative

provided for in Section 2 hereof, then such election shall be held on the first Monday following the 30th day after the provisions of this Act become operative as to such city. If a majority of the votes are cast in favor of the second alternative provided for in Section 2 hereof, then such election shall be held on the third Monday in September, 1977. The three commissioners shall be elected to offices designated by number: Place No. 1, Place No. 2, and Place No. 3, respectively, and these designations shall be shown on the ballot prepared for such election. Place No. 1 shall be for a term of one year; Place No. 2 for a term of two years; Place No. 3 for a term of three years: Any person desiring to become a candidate shall file a statement with the Probate Judge designating the office for which he desires election and which statement shall otherwise be in the form prescribed in Section 63 of Title 37 of Code of Alabama 1940. At such election, each voter shall vote for only one candidate for each office and the candidate receiving the highest number of votes for such office shall be elected, provided he receives a majority of all votes cast for such office. In case no one of such candidates shall receive a majority of such votes for the office for which he is a candidate, another election shall be held on the same day of the second week thereafter following for said office at which the two candidates receiving the highest number of votes at the initial election for said office shall be voted for. The candidate receiving the highest number of votes at such final election shall be declared elected. The terms of office of such persons so elected shall commence immediately upon their election and qualification, and such persons shall hold office until the first Monday in October of the year in which their term expires and until their successors are elected and qualified. An election shall be held on the third Tuesday in August of each succeeding year thereafter for the member of the commission whose term shall expire in that year, the commissioner then elected shall hold office for a term of three years from the first Monday in October of said year, and until his successor shall be elected and qualified for office all as provided in Act No. 664, (S. 133) Regular Session 1961, approved September 6, 1961.

Section 4. As soon as the three commissioners shall have qualified for office, then such city shall at that time and thereby be and become organized under the commission form of government as provided under Title 37, Sections 42-88, Code of Alabama 1940, as amended or as may hereafter be amended, and the form of government existing at that time shall then be abandoned.

Section 5. All other general laws of this state pertaining to the commission form of government as provided herein and those regulating and prescribing the conduct, duties, and powers of the board of commissioners of any city under such commission form of government shall apply to any city commission hereunder.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws and portions thereof in conflict with the provisions hereof are hereby repealed. Act No. 52 (H. 302), Regular Session 1971, approved June 30, 1971, and Act No. 1173, (H. 1884), Regular Session 1971, approved September 7, 1971, are hereby specifically repealed.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1853, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1889. Proposing a further amendment to Amendment No. 331 of the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County, eliminating the requirement for a county referendum.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1894. Relating to Marengo County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of said county; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local

competitive bid law and to authorize the county commission to pay the salaries of the clerical and secretarial employees that may be hired from time to time to staff the offices of such officials.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1896. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; to provide that there shall be a referendum election in all such counties to determine whether or not the construction and maintenance of the county road system shall remain under the supervision and control of the state highway department.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Flippo, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1909. Amending Act No. 791, H. 979, 1971 third Special Session of the Legislature (Acts 1971, Vol. II, p. 1525) to increase the compensation for the secretary to the district attorney of the twenty-fourth judicial circuit, and to provide for proportional payment by the counties constituting said circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (S), Mims, Mitchell, Noonan, Pearson, Perloff, Perry, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1912. Relating to all counties having populations of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Ellis, Fine, Flippo, Foshee, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Pearson, Perloff, Perry, Powell, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1921. An Act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1924. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; to authorize the county commission to appoint an Engineer Trainee; to provide for his compensation; to prescribe certain qualifications and duties; to provide for state participation in his salary and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Mitchell, Pearson, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1926. Relating to all counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; authorizing the county commission of such counties to pay additional compensation for jurors in such counties retroactively for a three-month period.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (A), McMillan, Mims, Noonan, Owen, Perloff, Powell, Roberts, Shelby, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1927. Relating to Marshall County. To provide for the employment and salary of a communications and information specialist in the sheriff's department of Marshall County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Foshee, Gilmore, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1928. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; creating a county government study commission in each of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Mitchell, Owen, Perloff, Perry, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1933. Relating to Marshall County; providing additional allowances for the clerk hire funds for the offices of the judge of probate, tax assessor and tax collector to be paid from any available county funds, and providing additional compensation for bailiffs to be paid from the county general fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1937. To amend Act No. 277, H. 660, approved August 8, 1973, which authorizes the County Commission, Board of Revenue, or other Geneva County governing body to provide clerk-hire allowance for the Clerk of the Circuit Court, the Tax Assessor, and the Tax Collector of Geneva County so as to increase the amount of such allowances.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, Roberts, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

H. 1938. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; provides expense allowance for the members of the county commission of said counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Ellis, Fine, Foshee, Givhan, Jones, King, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Perloff, Perry, Powell, St. John, Stewart, Torbert, Vacca, Wilson.

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Nays:

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The Bill:

H. 1885. To provide an expense allowance for the Deputy Solicitor for Cherokee County, Alabama.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Perry, Roberts, Shelby, Torbert, Vacca, Waldrop.

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Nays:

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The Bill:

H. 1950. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide for a salary increase for the chief deputy sheriff and the deputy sheriff of any such county; to provide an additional expense allowance for the sheriff; and providing two additional jailors for such county and their compensation.

was taken up.

The Standing Committee on Local Legislation No. 1 reported the following substitute for the Bill, H. B. 1950, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 1950

A BILL TO BE ENTITLED AN ACT

Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide that in the discretion of the county commission, the salary of the chief deputy sheriff and the regular deputy sheriffs of any such county may be increased, and additional expense allowance may be made for the sheriff, and two additional jailors for such county may be employed; and to fix the compensation of such jailors, if employed, and the amount of the salary increases and allowance herein authorized.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall apply to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census.

Section 2. The chief deputy sheriff in any county to which this act applies may, in the discretion of the county commission, receive additional compensation of \$200 per month which shall be paid out of the county general fund and which shall be in addition to any and all other compensation, expenses and allowances provided for by law.

Section 3. The regular deputy sheriffs in any county to which this act applies may, in the discretion of the county commission receive additional compensation of \$150 per month which shall be paid out of the county general fund and which shall be in addition to any and all other compensation, expenses and allowances provided for by law.

Section 4. The sheriff in any county to which this act applies may, in the discretion of the county commission receive an expense allowance of \$600 per month which shall be paid out of the county general fund and which shall be in addition to any and all other compensation, expenses and allowances provided for by law.

Section 5. There may, in the discretion of the county commission, be two additional jailors in any county to which this act applies. The salary for each of said additional jailors shall be not less than \$400 per month and shall be paid out of the county general fund. The additional jailors herein authorized shall be appointed by the sheriff of any such county to which this act applies and shall serve at his pleasure.

Section 6. All laws or parts of laws which conflict with this act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Foshee, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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And said Bill, H. B. 1950, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Fine, Flippo, Foshee, Givhan, Jones, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1899. A bill relating to all counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; providing for the establishment of a new

salary commission and abolishing the former commission; establishing the powers, duties, compensation and method of appointment for the new commission; repealing Act No. 800, H. 1916, 1973 Regular Session (Acts of 1973, p. 1216) and other conflicting statutes.

The Standing Committee on Local Legislation No. 1 reported the following amendment to the Bill, H. B. 1899, to-wit:

SENATE LOCAL LEGISLATION NO. 1
AMENDMENT TO H. B. 1899

Amend H. B. 1899 as follows:

On Page 1, Section 2, line 29 after the word "official" change the period to a coma and add the following:

"or any hospital employee employed in Marshall County."

On motion of Mr. McDonald (S), said amendment was laid on the table.

And said Bill, H. B. 1899, was then read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1795. Regulating through licensure the occupation of plumbing in Lauderdale County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flippo, Foshee, Givhan, Jones, Little, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perloff, Perry, Powell, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays: —0

The Bill:

H. 1437. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Ellis, Flippo, Foshee, Gilmore, Givhan, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Stewart, Vacca, Waldrop.

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Nays: —0

The Bill:

H. 1892. To provide for the compensation of bailiffs for the grand jury and for bailiffs serving in courts in Shelby County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Foshee, Gilmore, Jones, King, Littleton, McDonald (S), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays: —0

The Bill:

H. 1883. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971 (Acts 1971, p. 3012) relating to the board of registrars in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census so as to further regulate the days, hours, and places of the meetings of the board of registrars and the compensation of its members.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McMillan, Mims, Noonan, Owen, Pearson, Perry, Roberts, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays: —0

The Bill:

H. 1906. To amend Sections 2 and 3 of Act No. 1067, S. 938, Regular Session of 1973 (Acts 1973, p. 1802) which act provides for a county commission in all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census so as to provide further for the election of the members of said commission and to provide further for the meetings of said commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Fine, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Noonan, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1905. To amend Section 13 and 14 (a) of Act No. 113, H. 69, First Special Session, 1965, an act providing a civil service system for the City of Jasper, in relation to the number of days an employee can be suspended without right of hearing; and permitting any citizen to file charges.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mitchell, Noonan, Owen, Perloff, Powell, Roberts, St. John, Stewart, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1903. To authorize the creation of the office of commissioner of licenses of Walker County; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, Jones, Little, Littleton, McDonald (A), McMillan, Mims, Mitchell, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1850. Relating to the thirtieth judicial circuit; providing for the compensation of the clerk-secretary for the office of district attorney of said judicial circuit; and prescribing the duties of such clerk-secretary.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1874. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1901. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas

contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1936. To repeal Act No. 355, H. 884 of the Regular Session of 1965 (Acts 1965, p. 490), entitled "An Act To provide for and require reidentification of the registered voters of counties having a population of not less than 48,020 nor more than 49,750 according to the last or any subsequent federal census and imposing duties upon the Judge of Probate and upon the electors whose names appear on the list of qualified voters in such counties."

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Edwards, Fine, Flipppo, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1836. To provide an additional expense allowance for the circuit court reporters of the Ninth Judicial Circuit by the counties composing said circuit.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1864. Relating to DeKalb County; imposing an additional excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county, except diesel fuel used for any purpose whatsoever; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1865. To limit the use of public road and bridge funds of DeKalb County.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, Jones, King, Little, McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1867. Relating to DeKalb County; to provide that the DeKalb County Commission may levy and collect a severance tax on coal produced in said county at a rate to be established by said county commission; to provide that such tax shall be in addition to any state severance tax on coal and shall be deposited in the general fund of said county to be expended at the discretion of said county commission.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1463. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers in Blount County.

Was read a third time at length as required by the Constitution and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Perry, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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The Bill:

H. 1318. Relating to counties having a population not less than 115,000, nor greater than 150,000, according to the latest Federal decennial census; providing that, in addition to the \$12 per diem now being paid by the state, poll workers and election officers shall be paid \$12 per diem from the county general fund.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Edwards, Ellis, Fine, Flippo, Gilmore, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 947. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Also:

S. 967. To alter and rearrange the boundary lines of the Town of Flomaton, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous of said Town.

Also:

S. 988. Relating to Walker County; levying a 4 mill ad valorem tax to be paid to the Walker County Board of Education and distributed by the Walker County Board of Education in accordance with amendment No. 204 to the 1901 Constitution of the State of Alabama; providing for the purposes to which the funds provided by said tax are to be put; further providing that such tax shall take effect upon being approved by the voters of said county in an election to be called by the governing body of Walker County, Alabama and pursuant to the Constitution of Alabama and the law relating thereto.

Also:

S. 1025. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 16,600 nor more than 16,950 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Also:

S. 1109. To amend Act No. 360, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971) and Section 3 and Section 11 (c) thereof, in particular, which acts create and establish the Houston County Court of Houston County, Alabama in order to repeal and abolish the jurisdiction, power and authority of the court to hear and decide cases and matters relating to divorce, domestic relations, separate maintenance, custody of children, desertion and non-support, juveniles and those actions and matters relating to juveniles and also to establish the qualifications of such judge of said court so as to abolish the requirement that the judge of the court must have been licensed to practice law in Alabama for five years and to provide for the transfer of such cases herein above enumerated, which are pending in the court upon the effective date of the passage of this bill, to the Circuit Court of Houston County, Alabama.

Also:

S. 1134. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

Also:

S. 1135. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.

Also:

S. 1152. To authorize the county commission of all counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census to make expenditures from the county general fund for bi-centennial purposes.

Also:

S. 1173. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Also:

S. 1255. Relating to counties having a population of not less than 41,500 nor more than 45,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the county court.

Also:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

JOHN W. PEMBERTON,
Clerk.

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 905. To apply to every county of the State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county may provide by ordinance for taking possession of, storing and selling any abandoned, stolen or contraband property found in the county; to provide that any such ordinance may prescribe the conditions on which such property may be taken into possession, stored and sold; and to provide what other provisions any such ordinance shall contain.

Also:

S. 1038. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Also:

S. 1068. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Also:

S. 1112. To authorize and provide for the incorporation in each city in the State having a population of 250,000 or more according to the last or any subsequent Federal census of one or more public corporations for the purpose of providing products markets, exhibition halls, coliseums and buildings and related structures for the display of products or the conduct of exhibitions, contests and sporting events in order to encourage the industrial, economic and commercial development of such cities, the counties in which they are located, and the State, and to promote interests in sports, and amusements; to provide for the election or appointment of

directors and officers of such corporation: to specify the powers of such corporation, including the exercise of the power of eminent domain: to empower such corporation to enter into management contracts and other agreements with private entities for management of any project developed by it; to empower the municipality in which such corporation is organized to enter into a lease agreement with such corporation for lease by such municipality of any project developed by the corporation for a term of up to thirty years; to empower the municipality in which such corporation is organized, as well as any other municipality in the same county as such municipality, as well as the county itself to make capital investments in such corporation; to authorize the county in which such corporation is organized, any public corporation formed with its consent or approval, any public corporation formed with the consent or approval of such municipality, any other municipality located in such county, any public corporation formed with its consent or approval and the State of Alabama or any of its corporate agencies to enter into leases for use by them of any project developed by such corporation; to provide certain terms and conditions for such leases; to authorize the donation of property by such municipality, the county in which the same is located, any other municipality in such county, or the State to such corporation; to authorize the appropriations of funds by such municipality, the county in which the same is located, any other municipality in such county, or the State of Alabama to or for the benefit of such corporation; to authorize the sale and issuance by such corporation of interest-bearing revenue bonds and refunding revenue bonds, payable solely out of the rent, revenues and income from the project or projects with respect to which they are issued; to specify the provisions which may be included in such bonds and to declare them to be negotiable instruments; to authorize and provide for an indenture of trust under which such bonds may be issued; to provide for certain remedies in favor of the holder or holders of any bonds issued by such corporation upon default on the same, but limiting such remedies to preclude foreclosure upon any project of such corporation, or any other remedy by which the holder or holders of such bonds may gain ownership, title or possession of such project; to specify the use to which the proceeds of such bonds may be put; to authorize the investment of funds of such corporation not presently needed; to exempt from taxation properties of the corporation and the income therefrom, the said leases, the said bonds and the income therefrom and the said indentures; to provide that such bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of such municipality, the county in which the same is located, and any other municipality in such county in such bonds; to authorize the publication of notice of the adoption of the resolution authorizing such bonds and providing a short statute of limitation for the institution of action or the making of defenses respecting the validity of said bonds, pledge, indenture and lease; to provide for the vesting in such municipality of title to each project of such corporation upon payment of all bonds issued with respect to such project; to provide for payment of any surplus monies held by such corporation at the end of any fiscal year thereof in excess of \$250,000 or such greater sum as may be approved by the governing body of such municipality, in excess of any reserves necessary to secure payment of any indebtedness of the authority, to such municipality; to provide for transfer of the assets of any corporation organized pursuant to the provisions of Act No. 174 of the First Special Session, 1965 (1965, First Extra Session, pp. 224, et seq.) in the county in which such municipality is located which has no bonded or otherwise secured indebtedness to such corporation; to provide for the directors of

such a corporation organized pursuant to the provisions of said Act No. 174 to be the initial directors of such corporation if willing to serve as such; and, to provide for the dissolution of such corporation.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 848. To provide for additional compensation for the official Court Reporters of the Twentieth Judicial Circuit of Alabama, for the performance of their official duties.

Also:

S. 680. To amend Section 1 of Act No. 631, H. 1738, Regular Session 1973, (Acts 1973, p. 939) which relates to the compensation of certain officers of Houston County.

Also:

S. 679. To amend Section 1 of Act No. 586, H. 1606, Regular Session 1973 (Acts 1973, p. 842) to increase the expense allowance of the clerk and the register of the circuit court of Houston County, Alabama.

Also:

S. 410. To provide for expense allowances for the Circuit Judges of the Twentieth Judicial Circuit to defray expenses in the performances of their official duties.

Also:

S. 365. To amend Article X, Section 10.1 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472) providing for the Council-Manager form of government in cities having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census, so as to provide that the question of the abandonment of the Council-Manager form of government may not be re-submitted within two years after any other election thereon.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the vote by which it concurred in and adopted the Senate amendment to the bill:

H. 803. To amend Sections 6, 7 and 10 of Act No. 727, H. 1714, 1973 Regular Session (Acts of 1973, p. 1086) relating to Bibb County so as to provide further for the method of compensation of the probate judge and his assistants, the assistants of the circuit clerk and to change the effective date as to the probate judge and his assistants to July 1, 1975.

and has non-concurred in the Senate amendment to the bill, and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Owens, Jackson (F) and Smith (M).

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelby, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 803, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, Shelby, Torbert, Vacca, Wilson.

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Nays:

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And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Shelby, Fine and Foshee.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Messrs. Weeks and McNeas:

H. 1960. Relating to all counties having a population of not less than 22,575 and not more than 23,800 inhabitants according to the most recent federal decennial census; providing for the appointment of a bailiff to serve in the circuit and county courts of such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1960. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 570. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597) relating to the sheriff's department and counties having populations of not less than 300,000 nor more than 500,000.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 784. To apply only in Mobile County; providing for service of witness subpoenas by mail.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1742. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; requiring the county governing body to appropriate certain funds to the sheriff to be expended solely by him to cover expenses of his office.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Falkenburg, Albright, Andrews, Armstrong, Baker, Barron, Biddle, Boles, Brindley, Callahan, Campbell, Carothers, Carter, Cates, Clark, Coburn, Cooper, Crawford, Cross, Crowe, Dial, Drake, Edwards, Folmar, Ford, Gafford, Glass, Goodwin, Greer, Gregg, Hall, Harris, Harrison, Higginbotham, Hill, Hilliard, Hines, Holley, Holmes, Hopping, Howard, Jackson (F), Jackson (R), Johnson, Johnstone, Jolly, Kelley, Kennedy, Killian, Kinsey, Lee, LeFlore, Leonard, Lewis, Lockett, Lutz, McCluskey, McCorquodale, McCulley, McMillan, McNair, McNees, Malone, Manley, Martin, Merrill, Mitchem, Moore (O), Moore (W), Morris, Naramore, Owens, Pegues, Plaster, Porter, Quarles, Reed, Rich, Riddick, Roberts, Robertson, Sandusky, Sasser, Shelton, Smith (B), Smith (C), Smith (J), Smith (M), Sonnier, Sparks, Starkey, Taylor, Teague, Trammell, Tucker, Turnham, Venable, Waggoner, Warren, Weeks, Whatley, White, Williams, Wyatt.

H. J. R. 411. Thanking Physicians Who Served as a Physician for the Day.

WHEREAS, the Medical Association of the State of Alabama has coordinated the "Physician for a Day" program during this Session of the Legislature, and has furnished the Legislature with the voluntary services of its member physicians on each legislative day and when numerous committee meetings were scheduled, and

WHEREAS, the presence of these outstanding physicians from all over Alabama, at great personal and professional sacrifice to themselves, was a comfort and reassurance to the members of the Legislature, now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature does now convey its deep appreciation to the members of the Medical Association of the State of Alabama who participated in the "Physician for a Day" program for this unselfish act of public service.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to the Medical Association of the State of Alabama for distribution to these volunteer physicians.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 411, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 881. To provide that no position or vacancy on any board or agency in DeKalb County shall be filled by appointment by the DeKalb County Commission after June 1 of any year in which members of the DeKalb County Commission are nominated and elected, except that such position or vacancy may be filled on a temporary basis with said appointment to expire on January 1 of the following year.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Baker, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 881, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT TO S. B. 881

Amend S. B. 881 by adding a new Section 2 as follows and renumbering all subsequent sections accordingly:

Section 2. No appointees serving on the effective date of this Act shall be affected by this Act. It is the intent of the legislature that appointees serving at the time of passage of this law continue to serve in their positions.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the bill:

H. 376. Relating to Mobile County; to provide that any monies in the general fund of Mobile County may be used by the County governing body to pay the doctor, medical, hospital bills and any expenses required for rehabilitative purposes of any County employee who is injured in the line of duty; and to make provisions of this Act retroactive to January 1, 1973.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I herewith transmit to you a Message from the Governor concerning House Bill Number 376, and containing a suggested Executive Amendment.

Respectfully submitted,
HENRY B. STEAGALL, II,
Executive Secretary.

DONE THIS 2 DAY OF OCTOBER, 1975.

To the House of Representatives
State Capitol
Montgomery, Alabama

Lady and Gentlemen:

I am returning to you, the Body in which it originated, House Bill Number 376 without my signature and approval, and with the following suggested Executive Amendment.

It is my suggestion that you amend House Bill Number 376 by deleting the following language in its entirety:

“Be It Enacted by the Legislature of Mobile County;”

and substituting therefor the following:

“Be It Enacted by the Legislature of Alabama:”.

The adoption of the above and foregoing Executive Amendment will remove my objection to this bill.

Respectfully,

GEORGE C. WALLACE,
Governor.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, by a vote of a majority of the whole number elected to the House, said vote being: Yeas 68, Nays 1.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the House, said vote being: Yeas 69, Nays 0.

And said Bill, H. 376, together with the Executive Amendment, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Noonan, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, H. B. 376, the title of which and said Executive amendment are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

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Nays:

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which was a majority of the whole number elected to the Senate.

And said Bill, H. B. 376, as thus amended by the Executive amendment, was again read at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims,

Noonan, Owen, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

which was a majority of the whole number elected to the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1902. To amend the title and Section 1 of Act No. 115, H. 71, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation of members of the county board of education of certain counties classified on a population basis.

Was read a third time at length and passed.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Pearson, Perry, Powell, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

The Bill:

H. 1506. Relating to all counties having populations of not less than 150,000 nor greater than 180,000 according to the most recent federal decennial census; to regulate the hours and times that alcoholic beverages may be sold, served, or given away in public places and to remove restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Was read a third time at length and passed.

Yeas 4; Nays 1.

Yeas: Messrs. Ellis, Givhan, Jones, Waldrop.

—4

Nay: Mr. Mitchell.

—1

(A quorum of the Senate was present but not voting.)

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 821. Relating to the State Personnel Board; to increase the number of members on said board from three to five; providing for the selection, appointment, term of office and compensation of the additional two members.

and requests a Committee on Conference.

And the Speaker of the House has appointed as the Conferees on the part of the House Messrs. Crowe, Robertson and Folmar.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 821, the title of which is set out in the foregoing Message from the House.

Yeas 9; Nays 0.

Yeas:

Messrs. Baker, Bank, Fine, Givhan, Jones, King, McDonald (A), St. John, Waldrop.

—9

Nays:

—0

(A quorum of the Senate was present but not voting.)

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Jones, Torbert, and Mims.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1136. To apply to every county of the State having a population of more than 500,000 according to the last or any subsequent federal census; to define for and in such county as associate registrar as a member of the board of registrars of the county other than the chairman of said board; to provide that the term of an associate registrar shall expire on a date four years subsequent to the date of his appointment; to provide that if when an associate registrar's term expires there are then a full time chairman of the board of registrars subject to a civil service system and full time employees of said board subject to said civil service system, the appointing board, provided for by Section 21, Title 17, Code of Alabama of 1940, shall not appoint a successor to such associate registrar until the appointing board has received a resolution of the governing body of the county requesting that the appointing board appoint a successor to the associate registrar whose term has expired; to provide that the governing body shall not adopt any such resolution unless such governing body has found, and recites in said resolution, that it is essential to the efficient functioning of the board of registrars that the appointing board appoint a successor to the associate registrar whose term has expired; to provide

that as soon as practical after the appointing board receives such resolution the appointing board shall appoint a successor to the associate registrar whose term has expired; to provide that upon an associate registrar's term expiring thereafter until his successor is appointed the chairman, or the chairman and the remaining associate registrar, as the case may be, shall perform the functions and duties of the board of registrars; to provide that when the chairman performs the functions and duties which a former associate registrar would have performed if his term had not expired, the State of Alabama shall pay to the general fund of the county an amount equal to the compensation which the State would have paid such former associate registrar if he as an associate registrar had performed the duties the chairman performed in his stead.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McMillan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1136, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 1136

In Section 9, on page 4, strike out the following words and figures: "the date of its approval by the Governor or on its otherwise becoming a law." and insert in lieu thereof the following:

October 1, 1976.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Clemon, Ellis, Flippo, Foshee, Gilmore, Jones, King, Littleton, McMillan, Mims, Mitchell, Noonan, Pearson, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered the vote by which it concurred in and adopted the Senate amendment to the bill:

H. 784. To apply only in Mobile County; providing for service of witness subpoenas by mail.

and has non-concurred in the Senate amendment to the bill. And requests a Committee on Conference, and the Speaker of the House has appointed as the Committee on Conference on the part of the House Messrs. Johnstone, Kennedy and Cooper.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Perloff, the Senate acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 784, the title of which is set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Fine, Flipppo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (S), Mims, Noonan, Owen, Perloff, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

And the President and Presiding Officer of the Senate appointed as Committee on the part of the Senate, Messrs. Perloff, Roberts and Noonan.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 897. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, pp. 717-739), as heretofore amended, which established a pension system for employees and officers of Jefferson County, Alabama.

Also:

H. 1742. Relating to counties having a population of not less than 27,000 nor more than 27,900 inhabitants according to the most recent federal decennial census; requiring the county governing body to appropriate certain funds to the sheriff to be expended solely by him to cover expenses of his office.

Also:

H. 570. To amend further Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597) relating to the sheriff's department and counties having populations of not less than 300,000 nor more than 500,000.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 368. CREATING A JOINT INTERIM COMMITTEE TO STUDY THE FEASIBILITY OF ADOPTING A REVISED CRIMINAL CODE FOR THE STATE OF ALABAMA.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate signed the foregoing House Joint Resolution the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1285. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Lincoln, Talladega County, Alabama.

Also:

H. 978. Relating to cities with populations of more than three hundred thousand; allowing said cities to grant ad valorem tax exemptions on city ad valorem taxes for up to fifteen years to owner-developers who build new commercial or industrial facilities on previously improved real property within the city limits of said cities; providing that such owner-developers receiving such exemptions shall, however, pay abatement property taxes assessed on not less than the highest value at which said city property was assessed at anytime within five years prior to the grant of exemptions, and to provide for the procedures to be followed in the granting of such exemptions and in the determination of the amount of such abatement property taxes.

Also:

H. 1916. Relating to Cullman County; to levy an excise and privilege tax on the severance of coal in said county; to provide for the collection, payment, and administration of such tax; to provide for the use of the proceeds of the tax for the paving of roads in Cullman County.

Also:

H. 1824. To amend Section 1 of Act No. 416, S. 396, Regular Session 1935 (Acts of 1935, p. 243) entitled "An act to authorize the Board of Revenue of Tuscaloosa County, Alabama, to levy and collect a privilege tax on all persons, Corporations, Co-partnerships, Companies, Agencies, Associations and Refiners selling, delivering, withdrawing from storage or

keeping in storage for sale or delivery in such county, gasoline, naptha, and other liquid motor fuels or any devices or substitutes therefor, commonly used in internal combustion engines, but not including "kerosene oil" "fuel oil" or "crude oil", commonly used for lighting, heating or industrial purposes, not to exceed one cent per gallon; To authorize said Board of Revenue of said County to provide the necessary rules and regulations and machinery for the collection of said privilege tax; To make provision for the distribution of the funds derived from said privilege tax; To prohibit any incorporated city or town in said County from levying or collecting a municipal privilege tax on such motor fuels or upon the business of selling, delivering, withdrawing from storage, or keeping in storage such motor fuels, on a quantity basis; To repeal the municipal privilege, excise and/or license taxes on gasoline, Woco-pep, or any other Motor fuel used by self propelled vehicles which may now be collected or levied by any incorporated city or town in said County; To provide for the use of the money derived from said privilege tax, and to provide penalties for the violation of such rules and regulations; To repeal all laws and parts of laws in conflict with this Act, and to provide when this Act shall become effective," so as to provide for the taxation of diesel fuel when such fuel is to be used in an internal combustion engine for the purpose of propulsion of a vehicle on public roads, streets, ferries, highways or bridges.

H. 203. To provide for the appointment of assistant district attorneys in the Thirteenth Judicial Circuit and for a graduated schedule of compensation for assistant district attorneys in the Thirteenth Judicial Circuit and to repeal Code of Alabama 1940, Title 13, Section 254 and all amendments thereto.

Also:

H. 783. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act. No. 102 approved June 3, 1975, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Also:

H. 1917. To provide for creation of a permanent joint highway committee of the Legislature to facilitate and coordinate a long-range program of highway development in the state, to empower said committee to review and approve long-range (20-year) highway development plans, review annual plans for highway construction, modification, maintenance and administration and annual budgets for the State Highway Department, which plans and budgets shall be submitted to said committee by the State Highway Department; to empower said committee to review priorities for all highway construction and modification projects under jurisdiction of the State Highway Department, to inspect performance of state highway functions, to conduct hearings, call witnesses and employ consultants, and to do all things necessary or desirable in connection with and incidental to the foregoing functions, and to require that all highway legislation be referred to said committee for its recommendations and approval.

Also:

H. 531. To further provide for the authority of police officers appointed pursuant to the provisions of Section 500 of Title 52 of the Code of Alabama of 1940, as amended, and Act No. 1125, adopted at the 1969 Regular Session of the Legislature of Alabama.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill.

H. 159. Relating to Madison County, to set standards for judicial officers in said county for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

said Conference Report being in words and figures as follows:

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL 159

We the committee of conference appointed to reconcile the differences between the two houses concerning the Bill, H. B. 159 have met and considered the matter referred and beg leave to report as follows:

We recommend that the following amendments be adopted by both houses and that the Bill as amended be passed.

Immediately following Section 9, page 4 of said bill, insert the following new sections and renumber the remaining sections accordingly:

"Section 10. The Madison County Commission is hereby authorized to create the office of Administration for the pre-trial release program hereby created which shall be headed by an officer known as the Administrator of the Pre-Trial Release Program of Madison County. Immediately upon the implementation of the release program herein provided, the county governing body of Madison County may appoint an administrator, and may provide personnel and facilities required to maintain the office of Administration. The said administrator shall be subject to the provisions of law pertaining to the Madison County Personnel System. The administrator shall be charged with the general administrative, supervisory and co-ordinating duties of the release program, including specifically, but not limited to, the keeping of complete records pursuant to the program, and the coordination and dissemination of all

materials and information between the circuit judges' offices, the district attorney's office and the sheriff's department of Madison County in order to implement and facilitate the provisions of this act. The administrator shall be authorized to use directly in his operations any personnel of the sheriff's department, the district attorney's office or the work-release program, with the cooperation and consent of these various agencies.

The salaries of the administrator and any personnel which may be authorized and employed in the Office of Administration of the Pre-Trial Release Program shall be set by The Madison County Personnel Board and shall be payable from the county general fund in equal monthly installments."

Delete Section 11 from the bill as originally introduced and insert the following Section 11:

"Section 11. Upon the enactment of this act, the governing body of Madison County shall appoint a Citizens' Committee of the Pre-Trial Release Program. The committee shall consist of 5 members, one appointed by each of the five members of the county governing body. No appointed member of the committee shall be eligible to serve if such person is an elected official of the state or county, and no more than one lawyer shall be a member of the committee at any time.

Upon the first state legislative day of 1976 said Citizens' Committee shall report to the legislative delegation and the county governing body of said county of its opinions and estimates of costs involved in the pre-trial release program, the feasibility of such program, and any suggestions relating to possible amendments to this act, including suggested new sources of revenue to accommodate any proposed changes or amendments."

Amend Section 14, the final section of the bill relating to the effective date, by deleting it entirely and inserting in lieu thereof the following section:

"Section 14. This Act shall become effective on October 1, 1976 provided, however, that the Madison County Governing body by resolution may cause this act to be implemented at any time after the first day of the Regular Session of the Legislature of 1976 if they should determine that the legislation does not create a financial hardship for the county."

Renumber Section 10 in the bill as originally introduced as Section 12. Renumber Section 12 in the bill as originally introduced as Section 13. Renumber Sections 13, 14 and 15 in the bill as originally introduced as Sections 15, 16 and 17 respectively.

BILL G. KING,
ALBERT McDONALD,
JOHN BAKER,
Senate Conferees
HARTWELL LUTZ,
WARREN MOORE,
FRANK RIDDICK,
House Conferees

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE AND CONFERENCE MESSAGE

On motion of Mr. King, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 159, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Baker, Clemon, Edwards, Ellis, Fine, Flippo, Foshee, Gilmore, Givhan, King, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perry, Powell, Roberts, St. John, Shelby, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

RESOLUTION

Messrs. Ellis, Pearson, Mims and Wilson offered the following Senate Joint Resolution, to-wit:

S. J. R. 157. DESIGNATING THE ROAD RUNNING FROM THE I-65 EXIT AT HAYDEN'S CORNER TO RICKWOOD CAVERNS THE "RICKWOOD CAVERNS STATE PARK SCENIC DRIVE".

WHEREAS, Rickwood Caverns and the surrounding area is one of the most scenic locations in Blount County; and

WHEREAS, Rickwood's mile of colorful caverns and its other natural wonders attract thousands of Alabamians and out-of-state tourists; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the portion of the road located in Blount County, running, from the I-65 exit at Hayden's Corner and continuing to Rickwood Caverns State Park be designated the "Rickwood Caverns State Park Scenic Drive", and the State Highway Department in cooperation with the Federal Bureau of Roads shall cause appropriate markers to be erected and maintained along said road and highway so designating it.

On motion of Mr. Ellis, the Rules were suspended and the Resolution was adopted by the Senate.

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1822. To amend further Sections 3, 11, 12, 13 and 18 of Act No. 107, H. 150, Special Session 1956 (Acts 1956, p. 154), as amended, relating to the retirement system of the City of Prichard; to provide for the retroactive effect of the amendatory provisions of this Act.

Also:

H. 1894. Relating to Marengo County; authorizing the county commission of said county to provide data processing, computerized services or other electronic systems, including microfilming equipment, for the offices of the probate judge, tax assessor, tax collector, sheriff, circuit clerk, and register of said county; to provide for the manner of procuring such services and equipment and for the payment therefor from the county general fund; to provide that all contracts made pursuant to the provisions of this act shall be exempt from any applicable statewide or local competitive bid law and to authorize the county commission to pay the salaries of the clerical and secretarial employees that may be hired from time to time to staff the offices of such officials.

Also:

H. 1896. Relating to all counties having a population of not less than 65,500 nor more than 75,200 inhabitants according to the most recent federal decennial census; to provide that there shall be a referendum election in all such counties to determine whether or not the construction and maintenance of the county road system shall remain under the supervision and control of the state highway department.

Also:

H. 1909. Amending Act No. 791, H. 979, 1971 third Special Session of the Legislature (Acts 1971, Vol. II, p. 1525) to increase the compensation for the secretary to the district attorney of the twenty-fourth judicial circuit, and to provide for proportional payment by the counties constituting said circuit.

Also:

H. 1912. Relating to all counties having populations of not less than 23,800 nor more than 23,925 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

Also:

H. 1921. An Act relating to the municipality of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Also:

H. 1924. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent

federal decennial census; to authorize the county commission to appoint an Engineer Trainee; to provide for his compensation; to prescribe certain qualifications and duties; to provide for state participation in his salary and to repeal conflicting laws.

Also:

H. 1889. Proposing a further amendment to Amendment No. 331 of the Constitution of Alabama relating to court costs and charges and to the compensation of certain officers of Cleburne County, eliminating the requirement for a county referendum.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, had compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions respectively, and finds same correctly enrolled, to-wit:

S. 299. To amend and re-enact sub-section (a) of Section 34, of Title 36, Code of Alabama, 1940, as amended, by adding thereto a new sub-section, relating to tire equipment on motor vehicles, to prohibit the operation on the highways of the state any vehicle with unsafe tires, to provide tire conditions which are unsafe and to prohibit the sale of unsafe tires.

Also:

S. 441. To establish the Alabama Firefighters Personnel Standards and Education Commission; to provide for the appointment, tenure, qualifications, and payment of the members of the Commission; to provide for the employees and officers of the Commission; to regulate the meetings, quorum, and seal of the Commission; to prescribe the duties and functions of the Commission; to grant to the Commission the power to make rules, regulations, and standards, and for the publication of same; to provide penalties for the violation of this Act or the regulations of the Commission; to establish the Alabama Firefighters Personnel Standards and Education Fund and to provide for the Fund to accept grants, gifts, and other payments; to provide for cooperative agreements between firefighting agencies; to make biennial appropriations for the Fund for fiscal years 1975-76 and 1976-77; to provide for the severability of the parts of the Act; and to provide for the effective date of the Act.

Also:

S. 627. To amend Section 14 of Act No. 247, H. 512, Special Session of 1932 (Local Acts of Alabama, Special Session of 1932, p. 98), which act

provides for a jury board in Jefferson County so as to allow persons not under twenty-one years and not over seventy years of age to serve as jurors in said county.

Also:

S. 741. To create the office of ex-officio judge of the Tuscaloosa County Court; to prescribe the powers, duties and authority of the ex-officio judge; to provide for the appointment of such ex-officio judge, the fixing of his salary, and the furnishing of quarters, supplies and assistants to him; and to provide a supervisory board, and prescribe its authorities and responsibilities.

Also:

S. 947. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Also:

S. 967. To alter and rearrange the boundary lines of the Town of Flomaton, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory in Escambia County, Alabama, contiguous of said Town.

Also:

S. 988. Relating to Walker County; levying a 4 mill ad valorem tax to be paid to the Walker County Board of Education and distributed by the Walker County Board of Education in accordance with amendment No. 204 to the 1901 Constitution of the State of Alabama; providing for the purposes to which the funds provided by said tax are to be put; further providing that such tax shall take effect upon being approved by the voters of said county in an election to be called by the governing body of Walker County, Alabama and pursuant to the Constitution of Alabama and the law relating thereto.

Also:

S. 1025. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 16,600 nor more than 16,950 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Also:

S. 1109. To amend Act No. 360, S. B. 537 and Act No. 509, H. B. 699, Regular Session of the Legislature of Alabama, 1969, (Alabama Acts, 1969, p. 1150 and p. 971) and Section 3 and Section 11 (c) thereof, in particular, which acts create and establish the Houston County Court of Houston County, Alabama in order to repeal and abolish the jurisdiction, power and authority of the court to hear and decide cases and matters relating to divorce, domestic relations, separate maintenance, custody of

children, desertion and non-support, juveniles and those actions and matters relating to juveniles and also to establish the qualifications of such judge of said court so as to abolish the requirement that the judge of the court must have been licensed to practice law in Alabama for five years and to provide for the transfer of such cases herein above enumerated, which are pending in the court upon the effective date of the passage of this bill, to the Circuit Court of Houston County, Alabama.

Also:

S. 1134. To amend Sections 3, 6, and 12 of Act No. 2220, H. 2829, 1971 Acts of the Regular Session (Acts 1971, Vol V, p. 3566), entitled "Relating to all counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census; to impose a tax upon the sale by liquor licensees of spirituous or vinous liquors and an additional tax on malt or brewed beverages when sold for on-premises consumption; providing for the administration of this Act and the collection and use of the proceeds; requiring permits for taxable sales of spirituous and vinous liquors and malt or brewed beverages; and providing penalties for violations of this Act", further prescribing the manner and method of regulating the sale of alcoholic beverages, taxation thereon, and penalties for violations.

Also:

S. 1152. To authorize the county commission of all counties having a population of not less than 95,000 nor more than 115,000 inhabitants according to the most recent federal decennial census to make expenditures from the county general fund for bi-centennial purposes.

Also:

S. 1173. To apply only in counties having populations of not less than 95,000 nor more than 115,000 according to the most recent federal decennial census, legalizing the sale of draft or keg beer or malt beverages in such counties.

Also:

S. 1255. Relating to counties having a population of not less than 41,500 nor more than 45,000 inhabitants according to the most recent federal decennial census; to provide an additional expense allowance for the judge of the county court.

Also:

S. J. R. 91. Creating a select Joint Interim Committee to study grants received by the various State Departments and Agencies.

Also:

S. J. R. 146. Commending Cleveland L. Adams.

Also:

S. 1135. To propose an amendment to the Constitution relative to the levy and collection of a special property tax for educational purposes in the city of Anniston.

Also:

S. 365. To amend Article X, Section 10.1 of Act No. 404, S. 430, Regular Session 1953 (Acts 1953, p. 472) providing for the Council-

Manager form of government in cities having a population of not less than 30,000 nor more than 33,000 according to the most recent federal decennial census, so as to provide that the question of the abandonment of the Council-Manager form of government may not be re-submitted within two years after any other election thereon.

Also:

S. 410. To provide for expense allowances for the Circuit Judges of the Twentieth Judicial Circuit to defray expenses in the performance of their official duties.

Also:

S. 679. To amend Section 1 of Act No. 586, H. 1606, Regular Session 1973 (Acts 1973, p. 842) to increase the expense allowance of the clerk and the register of the circuit court of Houston County, Alabama.

Also:

S. 680. To amend Section 1 of Act No. 631, H. 1738, Regular Session 1973, (Acts 1973, p. 939) which relates to the compensation of certain officers of Houston County.

Also:

S. 848. To provide for additional compensation for the official Court Reporters of the Twentieth Judicial Circuit of Alabama, for the performance of their official duties.

Also:

S. 881. To provide that no position or vacancy on any board or agency in DeKalb County shall be filled by appointment by the DeKalb County Commission after June 1 of any year in which members of the DeKalb County Commission are nominated and elected, except that such position or vacancy may be filled on a temporary basis with said appointment to expire on January 1 of the following year.

Also:

S. 905. To apply to every county of the State having a population of 600,000 or more according to the last or any subsequent Federal census; to provide that the governing body of any such county may provide by ordinance for taking possession of, storing and selling any abandoned, stolen or contraband property found in the county; to provide that any such ordinance may prescribe the conditions on which such property may be taken into possession, stored and sold; and to provide what other provisions any such ordinance shall contain.

Also:

S. 1038. To amend the title and Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 21 and 24A and to strike Sections 17, 18, 19 and 20 of Act No. 96, H. 490, Regular Session 1965 (Acts 1965, p. 1974) which relates to the establishment of an inferior court in Jefferson County known as the Civil Court of Jefferson County.

Also:

S. 1068. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of

Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Also:

S. 1112. To authorize and provide for the incorporation in each city in the state having a population of 250,000 or more according to the last or any subsequent federal census of one or more public corporations for the purpose of providing products markets, exhibition halls, coliseums and buildings and related structures for the display of products or the conduct of exhibitions, contests and sporting events in order to encourage the industrial, economic and commercial development of such cities, the counties in which they are located, and the state, and to promote interests in sports, and amusements; to provide for the election or appointment of directors and officers of such corporation: To specify the powers of such corporation, including the exercise of the power of eminent domain: To empower such corporation to enter into management contracts and other agreements with private entities for management of any project developed by it; to empower the municipality in which such corporation is organized to enter into a lease agreement with such corporation for lease by such municipality of any project developed by the corporation for a term of up to thirty years; to empower the municipality in which such corporation is organized, as well as any other municipality in the same county as such municipality, as well as the county itself to make capital investments in such corporation; to authorize the county in which such corporation is organized, any public corporation formed with its consent or approval, any public corporation formed with the consent or approval of such municipality, any other municipality located in such county, any public corporation formed with its consent or approval and the State of Alabama or any of its corporate agencies to enter into leases for use by them of any project developed by such corporation; to provide certain terms and conditions for such leases; to authorize the donation of property by such municipality, the county in which the same is located, any other municipality in such county, or the state to such corporation; to authorize the appropriations of funds by such municipality, the county in which the same is located, any other municipality in such county, or the State of Alabama to or for the benefit of such corporation; to authorize the sale and issuance by such corporation of interest-bearing revenue bonds and refunding revenue bonds, payable solely out of the rent, revenues and income from the project or projects with respect to which they are issued; to specify the provisions which may be included in such bonds and to declare them to be negotiable instruments; to authorize and provide for an indenture of trust under which such bonds may be issued; to provide for certain remedies in favor of the holder or holders of any bonds issued by such corporation upon default on the same, but limiting such remedies to preclude foreclosure upon any project of such corporation, or any other remedy by which the holder or holders of such bonds may gain ownership, title or possession of such project; to specify the use to which the proceeds of such bonds may be put; to authorize the investment of funds of such corporation not presently needed; to exempt from taxation properties of the corporation and the income therefrom, the said leases, the said bonds and the income therefrom and the said indentures; to provide that such bonds shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the investment of idle and surplus funds of such municipality, the county in which the same is located, and any other municipality in such county in such bonds; to authorize the publication of notice of the adoption of the resolution authorizing such

bonds and providing a short statute of limitation for the institution of action or the making of defense respecting the validity of said bonds, pledge, indenture and lease; to provide for the vesting in such municipality of title to each project of such corporation upon payment of all bonds issued with respect to such project; to provide for payment of any surplus monies held by such corporation at the end of any fiscal year thereof in excess of \$250,000 or such greater sum as may be approved by the governing body of such municipality, in excess of any reserves necessary to secure payment of any indebtedness of the authority, to such municipality; to provide for transfer of the assets of any corporation organized pursuant to the provisions of Act No. 174 of the First Special Session, 1965 (1965, First Extra Session, pp. 224, et seq.) in the county in which such municipality is located which has no bonded or otherwise secured indebtedness to such corporation; to provide for the directors of such a corporation organized pursuant to the provisions of said Act No. 174 to be the initial directors of such corporation if willing to serve as such; and, to provide for the dissolution of such corporation.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS AND RESOLUTIONS

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions, the titles of which are set out in the foregoing report from the Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 211. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said Circuits of one Grand Jury Bailiff; to prescribe his duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1390. Relating to Coosa County, providing for a clerk hire allowance not to exceed \$5,000 per year for the office of judge of probate of said county.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1853. To provide for and prescribe the form of government for any city having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census; to provide for the abandonment of the existing form of government; to provide for a referendum to determine when the provisions of this Act become operative; and to repeal conflicting laws.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1848. To create a board of trustees of the policemen and fireman's retirement fund of the City of Gadsden, Alabama to provide for the composition of said board; to provide for a secretary-treasurer of said board and custodial care of such funds; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 1252. To adopt minimum standard codes for all counties now or hereafter having more than 600,000 population according to the latest federal census; to provide for the revision of these codes; to allow local modification of these codes; to authorize county governing bodies to enforce these codes; and to authorize the prescription and collection of the fees necessary to effect the enforcement of these codes, providing penalties for the violation of this act.

Also:

S. 1155. Proposing an amendment to the Constitution of Alabama relating to levying additional ad valorem taxes by the City of Vestavia Hills, Jefferson County, Alabama.

Also:

S. 1157. To provide that no board of adjustment authorized by Section 781, Title 37, Code of Alabama, as amended, and provided for by any municipality which is located within any county, which county now has or may hereafter have a population in excess of 500,000 according to the last or any succeeding decennial federal census, shall grant a variance under the zoning ordinance of such municipality to allow a structure or use in a district restricted against such structure or use except as specifically provided for by the zoning ordinance of such municipality.

Also:

S. 1114. Relating to the City of Montgomery in Montgomery County; to provide that the public street known as Fieldcrest Drive may not be constructed as a grade level crossing where it intersects the Central of Georgia railroad tracks; if Fieldcrest Drive is to be constructed as a four (4)-lane street in either direction from said railroad tracks, provided however, that Fieldcrest Drive may be opened as a grade level crossing if said street remains as a two (2)-lane street from either direction of the said intersection.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill and ordered same sent forthwith to the Senate without engrossment:

By Mrs. Quarles:

H. 1964. Relating to counties having a population of not less than 27,900 nor more than 33,500 inhabitants according to the most recent federal decennial census; providing for the compensation of bailiffs in such counties.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. B. 1964. To the Committee on Local Legislation No. 1.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 20. To provide that all retirement income or disability pay received by any retired military personnel and survivor benefits derived therefrom shall be exempt from all state, county or city income taxes or like taxes.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Foshee, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 20, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE AMENDMENT NO. 1
TO SENATE BILL 20

Amend Senate Bill 20 by striking all references to disability income or disability pay wherever such words appear.

HOUSE AMENDMENT NO. 2
TO S. B. 20

Amend Senate Bill 20 by striking the first word of Section 1 on line 23 and in lieu thereof by adding the following:

The first Four Thousand Seven Hundred and Fifty Dollars (\$4,750.00)

Yeas 26; Nays 0.

Yeas:

Messrs. Baker, Bank, Ellis, Fine, Flippo, Foshee, Givhan, King, Little, McDonald (A), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Powell, Roberts, St. John, Shelby, Stewart, Torbert, Waldrop, Wilson.

—26

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1545. To allow or rearrange the boundaries of the City of Dothan, Houston County, Alabama, so as to include within the corporate limits of said City all territory within such corporate limits and also certain other territory contiguous thereto.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1740. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for a committee including such

governing bodies to appoint members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease or cause to be leased such facilities to others, and to develop, acquire and lease or cause to be leased certain retail and service establishments in conjunction with and as a part of the parking facilities; to grant the Authority other powers incidental to the powers above enumerated, including but not restricted to the power of eminent domain; to authorize the city to aid the Authority in planning, constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in or indenture by the Authority and a trustee, or by resolution providing for the issuance of bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county wherein the Authority is located; to provide that bonds or other debts of the Authority shall not constitute a debt of the state or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this state to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings bank and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority, and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1950. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; to provide that in the discretion of the county commission, the salary of the chief deputy sheriff and the regular deputy sheriffs of any such county may be increased, and additional expense allowance may be made for the sheriff, and two additional jailors for such county may be employed; and to fix the compensation of such jailors, if employed, and the amount of the salary increases and allowance herein authorized.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1161. To fix the compensation or salary and allowance of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 1456. Relating to the coroner's office in all counties having populations of not less than 15,400 nor more than 15,625 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 781. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 782. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Executive amendment to the Bill:

S. 1033. Relating to all counties having populations of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census, fixing the base salary for the secretaries in the offices of the Judge of the Intermediate Court, and the District Attorney's Office.

by a majority of the whole number elected to the House, said vote being Yeas 64, Nays 0.

And said Bill S. B. 1033, as amended by the Executive amendment, was again read at length and passed by a majority of the whole number elected to the House, said vote being Yeas 62, Nays 1.

And said Bill S. B. 1033, together with the Executive amendment, is herewith returned to the Senate.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate Joint Resolution and returns same herewith to the Senate:

S. J. R. 156. Relative to amending S. J. R. 39 of the Third Special Session 1975.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 496. To amend Section 125 of Title 12, Code of Alabama 1940, as last amended, which relates to the interest rate and maturity of temporary loans made by the county governing bodies in anticipation of taxes.

Also:

S. 391. To amend Section 4 of Act No. 46 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, so as to provide that the certificate of incorporation of a county hospital board may contain provisions requiring that one or more of the members of its board of directors be elected from persons residing in certain specified political or other similar subdivisions of the county or from certain specified occupational or other similar groups or from among persons nominated by specified political subdivisions, public officers or occupational or other similar groups so as to validate any certificates of incorporation of such hospital boards heretofore filed and containing such provisions.

Also:

S. 658. Relating to taxation; to amend Title 51, Section 2 (1) (m) of Alabama Code of 1940, as heretofore amended, so as to exempt from ad valorem taxation articles manufactured in Alabama in the hands of the producer or manufacturer thereof for twelve (12) months after production or manufacture.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 495. To authorize the governing bodies of counties in this state to make temporary loans in anticipation of the receipt of funds from the United States under the "State and Local Fiscal Assistance Act of 1972".

JOHN W. PEMBERTON,
Clerk.

RECESS

At 5 o'clock P.M., on motion of Mr. Fine, the Senate took a recess until 7 o'clock this evening.

The recess period having expired, the Senate was called to order by Lieutenant Governor Beasley. A quorum of the Senate was present.

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1456. Relating to the coroner's office in all counties having populations of not less than 15,400 nor more than 15,625 inhabitants according to the most recent decennial census; to provide for the coroner to appoint a deputy coroner; to prescribe the duties and compensation of the deputy coroner and to repeal all conflicting statutes.

Also:

H. 1161. To fix the compensation or salary and allowance of the Register of the Circuit Court in all counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, and to provide for the payment thereof.

Also:

H. 1950. Relating to all counties having a population of not less than 24,500 nor more than 25,000 according to the most recent federal

decennial census; to provide that in the discretion of the county commission, the salary of the chief deputy sheriff and the regular deputy sheriffs of any such county may be increased, and additional expense allowance may be made for the sheriff, and two additional jailors for such county may be employed; and to fix the compensation of such jailors, if employed, and the amount of the salary increases and allowance herein authorized.

Also:

H. 1506. Relating to all counties having populations of not less than 150,000 nor greater than 180,000 according to the most recent federal decennial census; to regulate the hours and times that alcoholic beverages may be sold, served, or given away in public places and to remove restrictions on the gift, sale, service or consumption of alcoholic beverages in public places to or by persons not seated at tables.

Also:

H. 1902. To amend the title and Section 1 of Act No. 115, H. 71, Special Session 1969 (Acts 1969, p. 187), which Act provides further for the compensation of members of the county board of education of certain counties classified on a population basis.

Also:

H. 1926. Relating to all counties having a population of not less than 39,500 nor more than 41,750 inhabitants according to the most recent federal decennial census; authorizing the county commission of such counties to pay additional compensation for jurors in such counties retroactively for a three-month period.

Also:

H. 1927. Relating to Marshall County. To provide for the employment and salary of a communications and information specialist in the sheriff's department of Marshall County.

Also:

H. 1928. Relating to counties having populations of not less than 53,000 nor more than 55,000 according to the most recent federal decennial census; creating a county government study commission in each of such counties.

Also:

H. 1937. To amend Act No. 277, H. 660, approved August 8, 1973, which authorizes the County Commission, Board of Revenue, or other Geneva County governing body to provide clerk-hire allowance for the Clerk of the Circuit Court, the Tax Assessor, and the Tax Collector of Geneva County so as to increase the amount of such allowances.

Also:

H. 1938. Relating to counties having a population of not less than 21,000, nor more than 22,000 inhabitants according to the most recent federal decennial census; provides expense allowance for the members of the county commission of said counties.

Also:

H. 1885. To provide an expense allowance for the Deputy Solicitor for Cherokee County, Alabama.

Also:

H. 1933. Relating to Marshall County; providing additional allowances for the clerk hire funds for the offices of the judge of probate, tax assessor and tax collector to be paid from any available county funds, and providing additional compensation for bailiffs to be paid from the county general fund.

Also:

H. 1899. A bill relating to all counties having a population of not less than 53,000 nor more than 55,000 inhabitants according to the most recent federal decennial census; providing for the establishment of a new salary commission and abolishing the former commission; establishing the powers, duties, compensation and method of appointment for the new commission; repealing Act No. 800, H. 1916, 1973 Regular Session (Acts of 1973, p. 1216) and other conflicting statutes.

Also:

H. 1795. Regulating through licensure the occupation of plumbing in Lauderdale County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

Also:

H. 1437. To provide an additional expense allowance for the Judge of the County Court of Cherokee County.

Also:

H. 1892. To provide for the compensation of bailiffs for the grand jury and for bailiffs serving in courts in Shelby County.

Also:

H. 1883. To amend Sections 1, 2, and 3 of Act No. 1856, H. 2614 Regular Session 1971 (Acts 1971, p. 3012) relating to the board of registrars in any county having a population of not less than 52,500 nor more than 54,000 according to the most recent federal decennial census so as to further regulate the days, hours, and places of the meetings of the board of registrars and the compensation of its members.

Also:

H. 1906. To amend Sections 2 and 3 of Act No. 1067, S. 938, Regular Session of 1973 (Acts 1973, p. 1802) which act provides for a county commission in all counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal

decennial census so as to provide further for the election of the members of said commission and to provide further for the meetings of said commission.

Also:

H. 781. To amend further Act No. 470, H. 952 of the Regular Session of 1939, approved September 15, 1939, (Local Acts, 1939, p. 298) which creates and establishes the County-wide Civil Service System in Mobile County.

Also:

H. 782. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 357. To apply only in Mobile County providing for service of witness subpoenas by mail.

Also:

H. 1905. To amend Section 13 and 14 (a) of Act No. 113, H. 69, First Special Session, 1965, an act providing a civil service system for the City of Jasper, in relation to the number of days an employee can be suspended without right of hearing; and permitting any citizen to file charges.

Also:

H. 1903. To authorize the creation of the office of commissioner of licenses of Walker County; to prescribe the powers, duties, and authority of the commissioner; to provide for the appointment of such commissioner, the fixing of his salary, and the furnishing of quarters, supplies, and assistants to him; to transfer to such officer the duties of the probate judge relative to the issuance of licenses and the distribution of motor vehicle license tags, the duties of the tax assessor and tax collector, respectively, relative to assessing and collecting ad valorem taxes on motor vehicles, and all the duties of the license inspector of such county; to relieve the above named officer of the duties so transferred; and to prescribe the manner in which certain of the duties hereby imposed on the commissioner of licenses shall be prescribed.

Also:

H. 1850. Relating to the thirtieth judicial circuit; providing for the compensation of the clerk-secretary for the office of district attorney of said judicial circuit; and prescribing the duties of such clerk-secretary.

Also:

H. 1874. Relating to counties having a population of not less than 55,500 nor more than 56,500 inhabitants according to the most recent federal decennial census; to further regulate the taking, capturing or killing of wildlife in said counties; to regulate the gun and bow and arrow hunting of certain fur-bearing animals to the gun hunting deer seasons; to ban the practice of hanging bait over or near traps used for the taking of fur-bearing animals, and to require the marking of traps under certain conditions; and to provide penalties for violation of this act.

Also:

H. 1901. To protect and preserve water purification and prevent water contamination by prohibiting strip mining in certain areas contiguous to Lewis Smith Lake in counties having populations of not less than 55,500, nor more than 56,500 inhabitants, according to the most recent federal decennial census; to prescribe penalties for violations; and generally to promote the health and welfare of the inhabitants of such counties.

Also:

H. 1936. To repeal Act No. 355, H. 884 of the Regular Session of 1965 (Acts 1965, p. 490), entitled "An Act To provide for and require reidentification of the registered voters of counties having a population of not less than 48,020 nor more than 49,750 according to the last or any subsequent federal census and imposing duties upon the Judge of Probate and upon the electors whose names appear on the list of qualified voters in such counties."

Also:

H. 1836. To provide an additional expense allowance for the circuit court reporters of the Ninth Judicial Circuit by the counties composing said circuit.

Also:

H. 1864. Relating to DeKalb County; imposing an additional excise tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, for any purpose whatever, gasoline or other liquid motor fuel or devices or substitutes therefor in said county, except diesel fuel used for any purpose whatsoever; to provide for the collection and payment of such tax and to provide the distribution and the use of the funds derived therefrom; to authorize the governing body of such county to make reasonable rules and regulations for the collection of such tax, and to provide for the enforcement of this Act and to fix a penalty for the violation of any provision of this Act and of the rules and regulations prescribed by the governing body of such county for the collection of said tax.

Also:

H. 1865. To limit the use of public road and bridge funds of DeKalb County.

Also:

H. 1866. Relating to DeKalb County; authorizing the DeKalb County Commission to levy an additional privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties; providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Also:

H. 1867. Relating to DeKalb County; to provide that the DeKalb County Commission may levy and collect a severance tax on coal produced in said county at a rate to be established by said county commission; to provide that such tax shall be in addition to any state severance tax on coal and shall be deposited in the general fund of said county to be expended at the discretion of said county commission.

Also:

H. 1318. Relating to counties having a population not less than 115,000, nor greater than 150,000, according to the latest Federal decennial census; providing that, in addition to the \$12 per diem now being paid by the state, poll workers and election officers shall be paid \$12 per diem from the county general fund.

Also:

H. 159. Relating to Madison County, to set standards for judicial officers in said county for the pre-trial release of those persons accused of crimes, and to establish penalties for failure to appear or for violation of release conditions.

Also:

H. 916. To establish and provide for a Schedule of Compensation for Deputy District Attorneys of the Sixth Judicial Circuit.

Also:

H. 1120. To provide for supplementing the compensation paid to retired Circuit Judges in judicial circuits composed of one county and having not less than seven nor more than twelve circuit judges.

Also:

H. 1463. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers in Blount County.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 376. Relating to Mobile County; to provide that any monies in the general fund of Mobile County may be used by the County governing body to pay the doctor, medical, hospital bills and any expenses required for rehabilitative purposes of any County employee who is injured in the line of duty; and to make provisions of this Act retroactive to January 1, 1973.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 102. RELATING TO ALABAMA'S HISTORIC LANDMARKS.

Also:

H. J. R. 338. REQUESTING THE JEFFERSON COUNTY COMMISSION AND THE WATER BOARD TO REVIEW AND REVISE THE RATES.

Also:

H. J. R. 370. CREATING THE STATE FORT AND HISTORIC TRAIL COUNCIL.

Also:

H. J. R. 373. URGING THE BOARD OF CORRECTIONS TO CONSIDER A PLAN OF REORGANIZATION CONDUCIVE TO THE REHABILITATION OF PROMISING CANDIDATES.

Also:

H. J. R. 376. THANKING THE UNIVERSITY OF ALABAMA CENTER FOR BUSINESS AND ECONOMIC RESEARCH, THE ALABAMA LEAGUE OF MUNICIPALITIES, THE ALABAMA DEVELOPMENT OFFICE, AND THE ALABAMA STATE CHAMBER OF COMMERCE FOR RESEARCH STUDY ON CHARACTERISTICS OF HOUSE AND SENATE DISTRICTS.

Also:

H. J. R. 377. CREATING THE COUNCIL OF ALABAMA ARCHAEOLOGY AND THE ALABAMA ARCHEAOLOGICAL ADVISORY COMMITTEE.

Also:

H. J. R. 399. NAMING ACT NO. 524, S. 185, PROVIDING FOR SEMI-PERMANENT LICENSE PLATES, THE "McMILLAN-HINES-DIAL ACT."

Also:

H. J. R. 400. CONGRATULATING THOMAS B. AND MILDRED HILL ON THEIR FIFTIETH WEDDING ANNIVERSARY.

Also:

H. J. R. 403. COMMENDING CLEVELAND L. ADAMS.

Also:

H. J. R. 404. COMMENDING FORMER ALABAMIAN JOHN HENRY FAULK UPON HIS NEW BOOK, "FEAR ON TRIAL."

Also:

H. J. R. 406. COMMENDING VICTORIA POPE AT THE END OF HER REIGN AS THE NATIONAL PRESIDENT OF THE FUTURE HOMEMAKERS OF AMERICA.

Also:

H. J. R. 410. CREATING AN INTERIM STUDY COMMITTEE ON THE AVAILABILITY OF SAFE AND SANITARY RESIDENTIAL HOUSING FOR LOW AND MODERATE INCOME FAMILIES.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 211. Relating to Judicial Circuits composed of one county and having not less than six or more than nine Circuit Judges; to provide for the appointment in said Circuits of one Grand Jury Bailiff; to prescribe his

duties, to fix his term of employment and to prescribe his compensation and provide for the payment of his compensation out of the General Fund of the County.

Also:

H. 1740. To provide for the incorporation of a municipal parking authority, herein called "the Authority", as a public corporation, in any city of the state having a population of not less than 50,000 nor more than 60,000 inhabitants according to the most recent federal decennial census; to provide the procedure for incorporation, which shall include approval by the governing body of the city of the application for incorporation and certificate of incorporation; to provide for a committee including such governing bodies to appoint members of the Board of Directors to manage the affairs of the Authority; to provide for appointment of officers of the Authority; to empower the Authority to acquire, construct, enlarge and operate within the city facilities for parking motor vehicles; to empower the Authority to lease or cause to be leased such facilities to others, and to develop, acquire and lease or cause to be leased certain retail and service establishments in conjunction with and as a part of the parking facilities; to grant the Authority other powers incidental to the powers above enumerated, including but not restricted to the power of eminent domain; to authorize the city to aid the Authority in planning; constructing, enlarging or operating the facilities and to lend, give, donate or sell to the Authority real or personal property; to empower the Authority to issue interest bearing revenue bonds; to provide that such bonds may be secured by pledge of any revenues of the Authority and the mortgage of any property of the Authority; to provide that such pledge and mortgage may be provided for in or indenture by the Authority and a trustee, or by resolution providing for the issuance of bonds; to provide that such pledge shall be binding against parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county wherein the Authority is located; to provide that bonds or other debts of the Authority shall not constitute a debt of the state or any political subdivision thereof; to provide the purposes for which the proceeds of such bonds shall be used; to authorize the refunding of said bonds; to provide for remedies in the event of any default on said bonds, including license, privilege and excise taxes; to exempt from taxation bonds of the Authority and the income therefrom; to authorize any county, city or town of this state to invest in bonds of the Authority; to provide that such bonds shall be legal investments for fiduciaries, savings bank and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by the Authority, and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

Also:

H. 1545. To allow or rearrange the boundaries of the City of Dothan, Houston County, Alabama, so as to include within the corporate limits of said City all territory within such corporate limits and also certain other territory contiguous thereto.

Also:

H. 1390. Relating to Coosa County, providing for a clerk hire allowance not to exceed \$5,000 per year for the office of judge of probate of said county.

Also:

H. 1853. To provide for and prescribe the form of government for any city having a population of not less than 23,000 nor more than 27,000 according to the most recent federal decennial census; to provide for the abandonment of the existing form of government; to provide for a referendum to determine when the provisions of this Act become operative; and to repeal conflicting laws.

Also:

H. 1848. To create a board of trustees of the policemen and firemen's retirement fund of the City of Gadsden, Alabama to provide for the composition of said board; to provide for a secretary-treasurer of said board and custodial care of such funds; to provide for the composition of said retirement fund and the investment thereof; to provide for the payment of monies from such fund; to exempt the same from attachment and garnishment or other levy by legal process; to provide for voluntary, mandatory and disability retirement; to fix the amount of the retirement pensions; to provide the amounts payable to widows or dependents; and to provide appeals from any decision of said board.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 171. To amend Section 54 of Act No. 407, Acts of Alabama 1971, codified into Section 54, Title 28A, Code of Alabama 1940 (recompiled 1958) by raising the capital requirements of insurance companies.

Also:

S. 169. To provide protection to policyholders and beneficiaries of insolvent insurers in receivership by establishing a priority of certain claims to be allowed by receivership courts so as to make policyholders and beneficiaries of such insurers preferred creditors; and to make further provision for protection of policyholders by authorizing receivers of such insurers to transfer to solvent insurers certain assets of receivership estates as consideration or as reserves for reinsurance of policies of insolvent insurers upon hearing and approval of the appropriate circuit court having jurisdiction of such case or cases; and to provide for priorities of claims among classes of policyholders and beneficiaries; and to relieve the receiver of any civil liability to creditors for acts performed pursuant to such court orders.

Also:

S. 164. To establish within the Department of Insurance a Receivership Division, to provide for the management thereof and to enumerate the duties, responsibilities and authority to be conferred thereon.

Also:

S. 755. To amend Sections 8, 9, 11, 13, 14, 16 and 23 of Act No. 79, S. 76, approved September 15, 1961, an act regulating the practice of engineering and land surveying; so as to provide: additional liability protection and legal counsel for the Board, biennial printing of Roster, an increase in certain fees and an increase in amount of funds that the Board may retain; and further to make an additional appropriation to the Alabama State Board of Registration for Professional Engineers and Land Surveyors from the "Professional Engineers' Fund" for the fiscal years ending September 30, 1975, September 30, 1976 and September 30, 1977.

Also:

S. 335. Providing for the licensing of insurance premium finance companies; imposing powers and duties on the Commissioner of Insurance; providing for regulation of such companies in the rates and charges permissible and penalties for violations of this Act.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

H. 1255. Providing a white cane law for Alabama, including provisions to ensure full and equal accommodations to the blind and otherwise disabled, the right to be accompanied by a guide dog, penalties for failure on the part of a driver to take necessary precautions to avoid injuring blind pedestrians; penalties for denial or interference with admittance of blind or otherwise disabled persons to public facilities or for otherwise interfering with the rights of such persons; setting forth a state employment policy towards the blind; and providing that blind and otherwise disabled persons shall be entitled to equal access to housing accommodations offered for rent, lease, or compensation in this state.

Was read a third time at length and passed.

Yeas 27; Nays 0.

Yeas:

Messrs. Adams, Baker, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, Foshee, King, Little, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Pearson, Perloff, Perry, Roberts, St. John, Shelby, Vacca, Waldrop, Wilson.

—27

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 795. Authorizing the Department of Public Safety to protect the person of the Governor, Governor-elect, Lieutenant Governor, Lieutenant Governor-elect, Attorney General, Attorney General-elect, other officials of the state and distinguished visitors; defining terms used in this act; providing for penalties for anyone who obstructs, resists or interferes with officers of the Department of Public Safety in the performance of this protective function, as well as penalties for anyone threatening the life or person of the Governor or other protectees of the Department of Public Safety.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. McMillan, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 795, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT TO S. B. 795

In Section 2 on page 1, strike out the following words and figures, "to protect the person of the Governor of the State of Alabama, the members of his immediate family, the Governor-elect," and insert in lieu thereof:

from the date of his election, throughout his term and for a period of five years after the expiration of his term of office to protect the person of the Governor of the State of Alabama, the members of his immediate family and the Governor-elect; and from the date of their respective elections and throughout their respective terms of office the Department of Public Safety is authorized to protect the person of

Yeas 23; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Fine, Flipppo, King, McDonald (A), McMillan, Mims, Noonan, Owen, Pearson, Perloff, Powell, Roberts, St. John, Stewart, Torbert, Vacca, Waldrop, Wilson.

—23

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 1517. Relating to Mobile County; to provide further for the disposition and use of a certain portion of the funds received by Mobile County under the provisions of Act No. 2, H. 47, Regular Session 1945

(Acts 1945, p. 20), as amended, providing for an oil and gas severance tax, and to specifically repeal Act No. 29, H. 30, Second Special Session 1956 (Acts 1956, p. 299), and all other laws or parts of laws in conflict herewith.

said Conference Report being in words and figures as follows:

REPORT OF THE CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning House Bill 1517 have met and considered the matter referred and beg leave to report as follows:

Amend House Bill 1517 on page 1, Section 1, line 33, after the word "county." by adding a new sentence to read:

The \$100,000.00 ceiling shall be removed beginning October 1, 1977.

Further amend on page 1, Section 1, line 24, after the word "pay" by striking the words each month and inserting in lieu thereof the words each year in twelve monthly installments.

And further amend on page 1, Section 1, line 28, after the word "tax" by adding the following:

, to the Mobile County Board of Health

Conferees on the part of the House

H. L. CALLAHAN,

NAT SONNIER,

JOHN McMILLAN,

Conferees on the part of the Senate

L. D. OWEN,

L. W. NOONAN,

BILL ROBERTS,

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Perloff, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 1517, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Flippo, Foshee, Gilmore,

Givhan, King, Little, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Noonan, Owen, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 784. To apply only in Mobile County; providing for service of witness subpoenas by mail.

said Conference Report being in words and figures as follows:

REPORT OF THE CONFERENCE COMMITTEE

We, the committee of conference appointed to reconcile the differences between the two houses concerning House Bill 784, have met and considered the matter referred and beg leave to report as follows:

Amend House Bill 784, by deleting the Senate Local Legislation No. 1 Committee Amendment in its entirety.

Conferees on the Part of the House

DOUGLAS I. JOHNSTONE,

CAIN J. KENNEDY,

J. GARY COOPER,

Conferees on the part of the Senate

L. W. NOONAN,

MAYER W. PERLOFF,

BILL ROBERTS,

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Perloff, the Senate concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 784, the title of which and said Conference Report are set out in the foregoing Message from the House.

Yeas 25; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Fine, Flippo, Foshee, Gilmore, Givhan, King, Little, Littleton, McDonald (A), McDonald (S), Mims, Noonan, Owen, Perloff, Roberts, Shelby, Stewart, Torbert, Vacca, Waldrop, Wilson.

—25

Nays:

—0

FURTHER CONSIDERATION OF S. R. 154

The Senate proceeded to further consideration of the Resolution, S. R. 154. The question was on the substitute offered by Mr. Baker.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 1662. Relating to all counties having populations of not less than 24,500 nor more than 25,000 according to the most recent federal decennial census; authorizing the Alabama Alcoholic Beverage Control Board to permit in such counties the handling and sale of "table wines" as therein defined and distinguished from "fortified wines" in manner similar to the procedure by which beer, malt or brewed beverages are now sold.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 1041. To Amend Section 9 of Act 1938, Regular Session 1971 which Act relates to the inspection of mobile homes by the State Fire Marshal so as to increase inspection fees, original fees, and to provide for appropriation of funds to the State Fire Marshal.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bills and returns same herewith to the Senate:

S. 517. To authorize the registers and clerks of the circuit courts of this state to destroy all exhibits offered and received in evidence in civil, and equity cases on or after one year from the final disposition of the case in which they were offered and received.

Also:

S. 75. To create the Office of Prosecution Services, to provide for the appointment of an Executive Director and his staff; and to provide for the duties of the office and the salary of such Director and employees.

Also:

S. 152. To further amend Act No. 173, H. 311, Regular Session 1945, (Acts 1945, p. 304), so as to add a representative from AMVETS to the State Board of Veterans Affairs.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 490. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

said Conference Report being in words and figures as follows:

REPORT OF CONFERENCE COMMITTEE ON H. B. 490

We, your Committee on Conference appointed to reconcile the differences between the two Houses on the Bill, H. B. 490, beg leave to report as follows:

That the House of Representatives and the Senate of Alabama adopt the accompanying Conference substitute.

REP. HUGH MERRILL,

REP. WALTER OWENS,

REP. RICHARD MANLEY
Conferees on part of the House

SENATOR L. D. OWEN,

SENATOR CRUM FOSHEE,

SENATOR U. W. CLEMON,

except as to that part of the aforesaid substitute which transfers \$14

million from the Special Education Trust Fund to the General Fund; it being my recommendation that any such transfer be limited to not more than \$5 million.

Conferees on part of the Senate

CONFERENCE COMMITTEE SUBSTITUTE FOR H. B. 490

A BILL
TO BE ENTITLED
AN ACT

To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. That, for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable to the appropriations herein made: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases, and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions including supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rents and items of general expense not defined as "equipment purchases" and the money appropriated therefor shall be expended only for such purposes: (c) "equipment purchases" shall mean those items of office equipment and other equipment which have an appreciable and calculable period of usefulness in excess of one year; (d) "automotive equipment purchases" shall mean those items of motor vehicle equipment only and the money appropriated therefor shall be expended only for such purposes.

Section 2. There is hereby appropriated for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt, and for the public schools for the fiscal year ending September 30, 1976, to be paid out of any moneys in the State Treasury not otherwise appropriated, the several sums of money hereinafter specified, from such other funds and accounts as may be designated, or so much thereof as may be necessary, and the total amount to be expended for the items for which the appropriation is herein made shall not exceed the amount provided therefor and the amounts herein appropriated for "equipment purchases" and "automotive equipment purchases" shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of the items of personal property described in Section 1 (c) and (d) hereof. Provided, however, that if at the end of any fiscal year, a pay period which has been or may be established by the Legislature providing for the payment of salaries of State employees overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

FROM THE GENERAL FUND

I. LEGISLATIVE:

(1) EXPENSES OF THE LEGISLATURE:

(a) For the salaries of the Clerk of the House and the Secretary of the Senate and for other salaries and other expenses and for the salaries and expenses of the Legislature.....	2,500,000.00
(b) National Conference of State Legislators... (For the purpose of paying the State's share of the operation of the National Conference of the State Legislatures.)	22,500.00
(c) For the printing of Legislative Acts and Journals, Estimated.....	125,000.00
(d) For Legislative Council expenses	50,000.00

(2) LEGISLATIVE REFERENCE SERVICE:

(a) For operation of the Department:	
For salary of the Director ...	24,042.00
For other salaries	338,394.00
For other expenses	26,100.00
For equipment purchases....	2,000.00
Total	390,536.00
(b) Commission on Intergovernmental Cooperation:	
For salaries, other expenses, equipment purchases and Matching Federal Funds...	145,000.00
(Any portion of the above appropriation can be used for Reorganization of the State Government project and employees shall not be subject to the provisions of the Merit System Law.)	
(c) Code Revision:	
For salaries and expenses, Estimated.	10,000.00

(3) DEPARTMENT OF EXAMINERS OF PUBLIC ACCOUNTS:

For salary of the Chief Examiner .	22,729.00
For salary of the Assistant Chief Examiner	21,502.00
For other salaries	1,796,769.00
For other expenses	445,000.00
For equipment purchases	9,000.00
Total	2,295,000.00

II. JUDICIAL:

(1) THE SUPREME COURT:

For the salaries of the Chief Justice and eight Associate Justices	301,500.00
For the salary of the Clerk of Court, Est.....	26,130.00
For the salary of the Marshal and Librarian, Estimated	26,130.00

For the salary of Reporter of Decisions, Estimated	21,502.00	
For the salaries of Law Clerks, Estimated	110,214.00	
For other salaries	356,524.00	
For other expenses	85,000.00	
For equipment purchases	5,000.00	
For printing Alabama Reports, Estimated	13,000.00	
For Advisory Committee Work ..	5,000.00	
For Judicial Education	5,000.00	
Total		955,000.00
For the Supreme Court Library Fund		85,000.00
(2) COURT OF CRIMINAL APPEALS:		
For the salaries of the judges	165,000.00	
For the salary of Clerk of Court, Estimated	26,130.00	
For the salaries of Law Clerks, Estimated	61,230.00	
For other salaries	112,125.00	
For other expenses	31,000.00	
For equipment purchases	5,000.00	
For printing Appellate Court Reports, Estimated	8,000.00	
Total		408,485.00
(3) COURT OF CIVIL APPEALS:		
For the salaries of the Judges	99,000.00	
For the salaries of Law Clerks, Estimated	39,238.00	
For the salary of Clerk of Court, Estimated	26,130.00	
For other salaries	72,915.00	
For other expenses	18,500.00	
For rental of office space	27,125.00	
For equipment and book purchases	1,000.00	
For printing Appellate Court Reports, Estimated	7,200.00	
Total		291,108.00
(4) THE CIRCUIT COURTS:		
For the salaries of the Judges of the Circuit Courts, Estimated		2,450,000.00
For travel expenses of Circuit Judges, Estimated		25,000.00
For College of Trial Judges, as provided in Act No. 730, 1967 Regular Session		10,000.00
For telephone service, stationery, stamps, books, equipment purchases and necessary office supplies for the office use of Circuit Judges		50,000.00
For the salaries and travel expenses of special Judges, Estimated		15,000.00
For salaries of District Attorneys, Estimated	936,000.00	

For salary of elected Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	23,000.00
For the salary of the appointed Assistant Deputy District Attorney of the Bessemer Division of the 10th Judicial Circuit	3,600.00
For the salary of the First Deputy District Attorney of the Birmingham Division of the 10th Judicial Circuit	5,700.00
For the salaries of the Second and Third Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit	10,000.00
For the salaries of the Fourth, Fifth, Sixth, Seventh and Eighth Deputies District Attorneys of the Birmingham Division of the 10th Judicial Circuit: \$4,000.00 each	20,000.00
For the salary of the Deputy District Attorney of the 1st Judicial Circuit	3,600.00
For the salary of the Deputy District Attorney of the 4th Judicial Circuit, Estimated	24,000.00
For the salaries of the Deputies District Attorneys of the 6th Judicial Circuit	14,400.00
For the salary of the Deputy District Attorney of the 7th Judicial Circuit	6,900.00
For the salary of the Deputy District Attorney of the 8th Judicial Circuit	10,800.00
For the salaries of the Deputies District Attorneys of the 9th Judicial Circuit	7,200.00
For the salary of the Deputy District Attorney of the 10th Judicial Circuit	22,000.00
For the salary of the Deputy District Attorney of the 11th Judicial Circuit	4,500.00
For the salaries of the Deputies District Attorneys of the 13th Judicial Circuit, Estimated	39,625.00
For the salary of the Assistant District Attorney of the 14th Judicial Circuit	7,200.00
For the salaries of the Deputies District Attorneys of the 15th Judicial Circuit	38,600.00

For the salaries of the Deputies District Attorneys of the 16th Judicial Circuit	6,000.00	
For the salaries of the Deputies District Attorneys of the 23rd Judicial Circuit	42,000.00	
For the salaries of the Deputies District Attorneys of the 26th Judicial Circuit	13,000.00	
For the salary of the Deputy District Attorney of the 27th Judicial Circuit	7,200.00	
For the salary of the Deputy District Attorney of the 29th Judicial Circuit	7,200.00	
For the salaries of the Deputy District Attorneys of the 31st Judicial Circuit	4,200.00	
For the salary of the Deputy District Attorney for the 32nd Judicial Circuit	9,600.00	
For the salary of the Deputy Dis- trict Attorney for the 38th Judicial Circuit	3,600.00	
For the travel expenses of the Dis- trict Attorneys, Estimated.	40,000.00	
For the salary of the senographic secretary of the 6th Judicial Circuit	1,200.00	
For telephone service, stationery, stamps and necessary office supplies for the office use of the District Attorneys, Deputy District Attorneys or Assistants (Provided, however, that none of this appropriation shall be expended for books and equipment purchases.)	50,000.00	
For the salaries of the Public Defenders for the 21st Judicial Circuit, as provided by Act No. 1158, 1969 Regular Session .	24,000.00	
Total		1,385,125.00
For the salary and expenses of Supernumerary District Attorneys, Estimated.		125,737.00
(5) DEPARTMENT OF COURT MANAGE- MENT:		
For transfer to the Department of Court Man- agement Fund		138,666.00
(6) COURT REPORTERS:		
For the compensation of the Circuit Court Re- porters, Estimated		350,000.00
For the compensation of the Supernumerary Circuit Court Reporters, Estimated		70,000.00

(7) SUPERNUMERARY JUDGES:		
For salaries of Supernumerary Judges and Justices, Estimated		275,000.00
For expenses of Supernumerary Judges and Justices, Estimated		35,000.00
(8) JUDICIAL INQUIRY COMMISSION		44,500.00
(9) JUDICIARY RETIREMENT FUNDS, ESTIMATED.....		885,000.00
(10) PERMANENT STUDY COMMISSION ON ALABAMA'S JUDICIAL SYSTEM		25,000.00
For matching Federal funds, if available, monies from any of the above appropriations (II, Judicial), regardless of whether they are also specified, may be used for the purpose.		
III. EXECUTIVE:		
A. DEPARTMENTS, BOARDS, BUREAUS, AGENCIES AND COMMISSIONS:		
(1) ALABAMA ACADEMY OF HONOR.....		1,500.00
(Pursuant to provisions of Act No. 15, Third Special Session 1965.)		
(2) STATE BOARD OF ADJUSTMENT:		
(a) For expenditures by the Board payable from General Fund for the General Fund Contribution to the total expenditure of \$200,000 pursuant to Title 55, Section 343.....		15,000.00
(b) For expenditures by the Board payable from General Fund the provisions of Act No. 208, 1966 Special Session and Act No. 436, 1967 Regular Session, Estimated		100,000.00
(3) ADVERTISING LANDS FOR TAX SALE, ESTIMATED		14,000.00
(4) COMMISSION ON AGING—TRANSFER		175,000.00
(5) DEPARTMENT OF AGRICULTURE AND INDUSTRIES:		
(a) For transfer to the Agricultural Fund for salaries, other expenses and equipment purchases for the Department of Agriculture and Industries.....		2,540,000.00
(b) For transfer to the Department of Agriculture and Industries to be expended by the Meat and Poultry Inspection Division for salaries, other expenses, equipment purchases and automotive equipment purchases		700,000.00
(c) For transfer to the Department of Agriculture and Industries to be expended by the Egg Inspection Division for salaries, other expenses and equipment purchases		53,000.00

(d) For transfer to the Department of Agriculture and Industries to be expended by said Department for salaries, other expenses, equipment purchases, automotive equipment purchases and for purchase of insecticides and chemicals for control of the fire ant.		250,000.00
(The above appropriation in item (d) shall be conditional upon the condition of the State Treasury with the approval of the Governor.)		
(6) AGRICULTURE CENTER BOARD:		
(a) For transfer to the Agriculture Center Board for salaries and other expenses .		50,265.00
(b) For expenses and awarding of prizes as provided by Act No. 1122, 1969 Regular Session.		90,000.00
(7) ALABAMA AGRICULTURAL AND INDUSTRIAL EXHIBIT COMMISSION		40,000.00
(8) APPALACHAIN REGIONAL DEVELOPMENT PROGRAM		150,000.00
(9) DEPARTMENT OF ARCHIVES AND HISTORY:		
For the salary of the Director	22,728.94	
For other salaries	189,771.06	
For other expenses	40,000.00	
For equipment purchases.	5,000.00	
For expenses of printing of the Alabama Historical Quarterly	7,500.00	
For expenses of printing of the Statistical Register	10,000.00	
Total		275,000.00
(10) ARREST OF ABSCONDING FELONS:		
For expenses incident to the arrest of absconding felons, Estimated		2,000.00
(11) ALABAMA COUNCIL ON THE ARTS AND HUMANITIES:		
For transfer to the Council on the Arts and Humanities		100,000.00
(12) PAYMENT OF ATTORNEYS FEES IN INDIGENT CAPITAL CASES, ESTIMATED		
(As provided in Act No. 176, 1947 Acts, page 61)		37,500.00
(13) OFFICE OF THE ATTORNEY GENERAL:		
For the salary of the Attorney General	33,500.00	
For the salary of the Deputy Attorney General	32,500.00	
For the salary of the Executive Assistant, Estimated ..	26,130.00	

For other salaries	725,000.00	
For other expenses	110,000.00	
For equipment purchases . . .	6,000.00	
For automotive equipment purchases	5,000.00	
For special investigation as provided by Act No. 1080, 1969 Regular Session	<u>15,000.00</u>	
Total		953,130.00
(For Matching Federal Funds, if available, \$60,000 from any of the above appro- priations may be used for this purpose.)		
(14) OFFICE OF THE STATE AUDITOR:		
(a) For operation of the De- partment:		
For the salary of the State Auditor	22,970.00	
For other salaries	160,000.00	
For other expenses	37,030.00	
For equipment purchases . . .	<u>5,000.00</u>	
Total		225,000.00
(b) Office of the State Auditor—Property Inventory:		
For salaries	50,000.00	
For other expenses	9,150.00	
For equipment purchases . . .	<u>850.00</u>	
Total		60,000.00
(15) AUTOMATIC APPEAL EXPENSE, ESTIMATED		3,000.00
Provided in 1943 Acts of Legislature, page 217.		
(16) COOSA-ALABAMA DEVELOPMENT AUTHORITY		12,500.00
(17) TRANSFER TO STATE DOCKS DE- PARTMENT:		
For dredging and constructing the Theodore ship channel		2,000,000.00
(18)(a) STATE BANKING DEPARTMENT:		
For transfer to the State Banking Department		113,000.00
(b) BANKING DEPARTMENT— BUREAU OF LOANS:		
For transfer to the State Banking Department		140,000.00
(19) BICENTENNIAL COMMISSION, ALABAMA		30,000.00
(20) BUILDING COMMISSION:		
For salaries, other expenses, equipment purchases and automotive equipment purchases		100,000.00

(21) ALABAMA HISTORICAL COM- MISSION-TRANSFER	7,000.00
(For operation of Cahaba Historical Site in accordance with Act No. 155, 1975 Third Special Session.)	
(22) ALABAMA WING OF CIVIL AIR PATROL	35,000.00
(23) CIVIL COURT COST IN CONNECTION WITH AD VALOREM TAX ASSES- MENTS APPEALS, ESTIMATED	100.00
(24) DEPARTMENT OF CIVIL DEFENSE:	
(a) For salaries, other expenses and equip- ment purchases	195,000.00
(b) For matching Federal Funds-Disaster Relief	1,492,000.00
(25) DEPARTMENT OF CONSERVATION:	
For transfer to Conservation— State Parks Fund— For salaries, other expenses, equipment purchases and capital outlay for the State Parks Division	1,500,000.00
(26) BOARD OF CORRECTIONS:	
For transfer to Board of Corrections.	7,800,000.00
(27) COUNCIL OF STATE GOVERNMENTS .	30,790.00
(28) COURT COSTS, ESTIMATED	250,000.00
To be paid by the State of Alabama pur- suant to Act No. 558, 1957 Acts, page 777.	
(29) COURT COSTS, ESTIMATED	65,000.00
To be paid by the State of Alabama not otherwise provided for.	
(30) DEPARTMENTAL EMERGENCY FUND	450,000.00
This is the appropriation contemplated in Section 105, Title 55 of the Code of Ala- bama 1940 and shall be the only amount appropriated and the total amount ex- pended under the provisions of said section	
(31) ALABAMA DEVELOPMENT OFFICE:	
For transfer to Alabama Development Office for operations.	2,561,000.00
For transfer of the Alabama Development ..	
(32) ELECTION EXPENSES, ESTIMATED ..	900,000.00
(33) ELK RIVER DEVELOPMENT ASSO- CIATION	5,000.00
(34) STATE EMPLOYEES INSURANCE	450,000.00
To pay the State's share of the State Em- ployees Insurance Program, estimated.	
(35) STATE EMPLOYEES INSURANCE BOARD:	
For salaries	31,750.00
For other expenses	5,900.00
For equipment purchases.	350.00

Total	38,000.00	
(36)EMPLOYEES' RETIREMENT FUND— STATE'S PART, ESTIMATED		3,300,000.00
(37)ETHICS COMMISSION, ALABAMA: For operations of the Alabama Ethics Commission		100,000.00
(38)FAIR TRIAL TAX-TRANSFER.....		100,000.00
To be expended in accordance with Act No. 525 and Act No. 526, 1963 Regular Session.		
(39)FARMERS' MARKET AUTHORITY: For transfer to the Farmers' Market Authority for the operation of the Farmers' Market Authority.....		53,000.00
(40)FEEDING OF PRISONERS: For expenses of feeding prisoners in county jails, Estimated		1,300,000.00
(41)DEPARTMENT OF FINANCE:		
(a) Director's Office:		
For the salary of the Director, Estimated	24,000.00	
For the salary of the As- sistant Director, Es- timated.....	23,699.00	
For other salaries	12,246.00	
For other expenses	8,500.00	
Total.....		68,445.00
(b) Division of the Budget:		
For salaries	232,400.00	
For other expenses	16,600.00	
For equipment purchases.	11,000.00	
To carry out the pro- visions of the Governor's Committee on Fiscal Responsibility's Con- tractural Services for Program Budgeting initia- tion.....	150,000.00	
Total.....		410,000.00
(c) Division of Control and Accounts:		
For salaries	475,000.00	
For other expenses	200,000.00	
For equipment purchases.	5,000.00	
Total.....		680,000.00
(d) Legal Division:		
For salaries	57,630.00	
For other expenses	6,370.00	
For equipment purchases.	1,000.00	
Total.....		65,000.00
(e) Data Systems Management—Transfer.		150,000.00
(f) Data Systems Management Revolving Fund.....		450,000.00

(g) Division of Printing and Publications . .	50,000.00
(h) Division of Purchases and Stores:	
For salaries	304,500.00
For other expenses	35,000.00
For equipment purchases.	2,000.00
Total	341,500.00
(i) Division of Service:	
For salaries	782,000.00
For other expenses	360,000.00
For equipment purchases.	15,000.00
Total	1,157,000.00
(j) Space Management Operations	60,000.00
(k) Equipment purchases for the State Offices in the Executive, Admin- istrative and Judicial Departments . . .	5,000.00
(42) MATCHING FEDERAL FUNDS NOT OTHERWISE PROVIDED FOR	100,000.00
(43) ALABAMA FORESTRY COMMISSION:	
For transfer to the Alabama Forestry Com- mission—For salaries, other expenses, equipment purchases and automotive equipment purchases	1,800,000.00
(44) FORT MORGAN HISTORICAL COM- MISSION:	
For salaries	37,000.00
For other expenses	20,000.00
For equipment purchases.	2,800.00
Total	59,800.00
(45) GEOLOGICAL SURVEY:	
For the salary of the State Geologist	26,591.00
For other salaries	350,000.00
For other expenses	110,000.00
For equipment purchases.	5,000.00
For operation of new building For matching funds for in- vestigation of water, mineral & energy resources of the State	18,409.00
For test drilling	230,000.00
For topographic Mapping	25,000.00
Total	790,000.00
(46) GORGAS MEMORIAL BOARD	9,500.00
To provide for the appropriation authorized by Act No. 417, 1943 Acts, page 383 and an additional amount.	
(47) THE GOVERNOR'S OFFICE:	
(a) For operation of the Department:	
For the salary of the Governor	28,955.00

For the salary of the Executive Secretary	22,729.00	
For the salary of the Legal Advisor	22,729.00	
For the salary of the Press Secretary	22,729.00	
For the salary of the Confidential Assistant	22,729.00	
For other salaries	147,204.00	
For other expenses	105,000.00	
For printing Governor's State Budget, Estimated	22,000.00	
For equipment purchases.	3,500.00	
For automotive equipment purchases	8,000.00	
Total		405,575.00
(b) For the Governor's Emergency Fund, to be expended at the direction of the Governor		100,000.00
(c) For the Governor's Controlled Contingency Fund		60,000.00
(d) For Governor's Office—Consumer Agency:		
For salaries	119,000.00	
For other expenses	40,000.00	
For equipment purchases.	1,000.00	
Total		160,000.00
(e) For the Mansion Fund		45,000.00
(f) For the Governor's Mansion at Gulf Shores		10,000.00
(g) For the Governor's Committee on Reorganization of State Government . . .		38,500.00
(48)EXPENSES OF GOVERNOR'S PROCLAMATION, ESTIMATED		150,000.00
(49)NATIONAL GOVERNOR'S CONFERENCE		16,150.00
(50)GOVERNOR'S RETIREMENT, ESTIMATED		9,000.00
(51)GOVERNOR'S WIDOWS RETIREMENT, ESTIMATED.		14,400.00
(52)DEPARTMENT OF HEALTH:		
(a) For Administration of all State Health Services and Programs (excluding Medicaid).		8,557,912.00
(b) For Medicaid:		
For transfer to the Medicaid Account . .	50,600,000.00	
(c) For Emergency Medical Services.		20,000.00
(53)HELEN KELLER HOME:		
For operation and maintenance.		5,000.00
(54)OFFICE OF HIGHWAY AND TRAFFIC SAFETY:		

For transfer to Office of Highway and Traffic Safety	75,000.00	
(55) ALABAMA HISTORICAL COMMISSION:		
For transfer to Alabama Historical Commission	264,720.00	
(56) HISTORIC CHATTAHOOCHEE COMMISSION	74,650.00	
(57) RICHMOND PEARSON HOBSON MEMORIAL BOARD	9,500.00	
To provide the appropriation authorized by Act No. 536, 1943 Acts, page 510 and an additional amount.		
(58) DEPARTMENT OF INDUSTRIAL RELATIONS:		
For salaries	389,400.00	
For other expenses	70,000.00	
For equipment purchases.	1,000.00	
For automotive equipment purchases	4,600.00	
Total	465,000.00	
(59) DEPARTMENT OF INSURANCE:		
For salary of the Director ...	24,487.71	
For other salaries	399,512.29	
For other expenses	118,000.00	
For equipment purchases.	3,000.00	
For automotive equipment purchases	5,000.00	
Total	550,000.00	
(60) INTERPRETER'S ACCOUNT, ESTIMATED	100.00	
(To carry out provisions of Act No. 799, 1965 Regular Session.)		
(61) COURT OF JUDICIARY:		
For salaries	2,500.00	
For other expenses	4,150.00	
For equipment purchases.	200.00	
Total	6,850.00	
(62) STATE LABOR DEPARTMENT:		
For salary of the Director ...	22,729.00	
For other salaries	105,571.00	
For other expenses	26,200.00	
For equipment purchases.	500.00	
Total	155,000.00	
(63) LAGRANGE HISTORICAL COMMISSION	2,500.00	
(To provide the appropriation and for the expenditures authorized by Act No. 551, 1943 Acts, page 540.)		
(64) LAW ENFORCEMENT LEGAL DEFENSE, ESTIMATED	2,000.00	
(To carry out provisions of Act No. 259, 1957 Regular Session.)		

(65)ALABAMA LAW ENFORCEMENT PLANNING AGENCY:		
For matching Federal Funds		615,000.00
(66)TRANSFER TO TELEPHONE RE- VOLVING FUND		576,720.00
(67)LIVESTOCK COLISEUM:		
For transfer to the Livestock Coliseum Fund for the operation of the Livestock Coliseum		140,000.00
(68)MAILING TAX NOTICES, ESTIMATED		7,500.00
(69)MENTAL HEALTH:		
For transfer to Special Mental Health Fund		14,800,000.00
(70)MILITARY DEPARTMENT:		
(a) For operation of the De- partment:		
For salary of the Adjutant General	22,729.00	
For other salaries	528,271.00	
For other expenses	110,000.00	
For equipment purchases.	<u>4,000.00</u>	
Total		665,000.00
(b) For Quarterly Allowances:		
For Headquarters		5,000.00
For Regular Allowance to Units		363,500.00
Provided that not more than \$5,000 may be allotted in any fiscal year for the Headquarters, Alabama National Guard.		
(c) For Active Military Service—Active National Guard		100,000.00
(d) For transfer to the Armory Com- mission:		
For care and maintenance of armories . .		950,000.00
For construction of armories		1,006,000.00
(71)OIL AND GAS BOARD:		
(a) Operations of Board:		
For salaries	419,500.00	
For other expenses	100,000.00	
For equipment purchases.	5,000.00	
For salaries, other ex- penses, equipment pur- chases and automotive equipment purchases to be allotted upon opening of New Oil and Gas Fields	<u>40,000.00</u>	
Total		564,500.00
(b) For the Oil and Gas Board to monitor offshore oil drilling		60,000.00
(72)BOARD OF PARDONS AND PAROLES:		
For salaries of Board Mem- bers	63,321.00	

For other salaries	1,471,679.00	
For other expenses	150,000.00	
For equipment purchases. . . .	9,000.00	
For Federal matching Funds. . .	50,000.00	
Total		1,744,000.00
(73) DEPARTMENT OF PENSIONS AND SECURITY:		
For transfer to the Department of Pensions and Security for the support, maintenance and operations of the functions of Pensions and Security		13,000,000.00
(74) PERSONNEL DEPARTMENT:		
For transfer to the Personnel Department for the payment of the State's General Fund share of the cost of operating the Department		109,760.00
(75) FIRST WHITE HOUSE OF CONFEDERACY.		11,500.00
(76) COMMISSION TO PRESERVE THE PEACE:		
For salaries and other expenses.		10,000.00
(For purposes of phasing out the operations by December 31, 1975.)		
(77) PRESIDENTIAL ELECTORAL EXPENSE, ESTIMATED.		600.00
(78) PRINTING OF STATE AND COUNTY PRIVILEGE LICENSES, ESTIMATED.		10,000.00
(79) BOARD OF EXAMINERS OF PSYCHOLOGY:		
For transfer to Board of Examiners of Psychology for operation.		1,600.00
(80) BUREAU OF PUBLICITY AND INFORMATION:		
(a) For operation of the Department:		
For salary of the Director.	20,533.00	
For other salaries	58,467.00	
For other expenses	63,000.00	
For equipment purchases.	1,000.00	
For Ave Maria Grotto	12,500.00	
For Blue and Gray Football Game.	10,000.00	
For Guntersville Boat Races	9,500.00	
For Lake Eufaula Festival	10,000.00	
For Mobile Carnival Association.	5,000.00	
For Mobile Junior Miss Pageant	25,000.00	
For National Peanut Festival Association	10,000.00	
For Spirit of America Festival, Inc.	5,000.00	

For Alonzo Stagg Bowl . .	5,000.00	
For Alabama Mountain Lake Association	20,000.00	
For Gulf Shores Tourist Association	15,000.00	
For The Chilton County Peach Festival	5,000.00	
Total		275,000.00
(b) Welcome Centers:		
For salaries	125,000.00	
For other expenses	35,000.00	
For Bureau's share in constructing and equipping Welcome Centers	100,000.00	
Total		260,000.00
(81) DISTRIBUTION OF PUBLIC DOCUMENTS, ESTIMATED		30,000.00
(82) TALLACOOSA MOUNTAIN LAKE ASSOCIATION		10,000.00
(83) DEPARTMENT OF PUBLIC SAFETY:		
For the salary of the Director	22,729.00	
For other salaries	10,580,271.00	
For other expenses	3,682,000.00	
For Workman's Compensation Insurance, Est.	140,000.00	
For equipment purchases	150,000.00	
For automotive equipment purchases	750,000.00	
Total		15,325,000.00
(84) REGISTRATION OF VOTERS, ESTIMATED		450,000.00
(85) REMOVAL OF PRISONERS:		
For expenses incident to removal of prisoners, Estimated		75,000.00
(86) DEPARTMENT OF REVENUE:		
(a) For transfer to the Department of Revenue for the General Fund share of the cost of operating the Department		1,201,096.54
(b) For Auto Title and Auto Theft Fund		500,000.00
(c) Boards of Equalization:		
For salaries of the members and employees of the county boards of equalization	143,750.00	
For other expenses	4,000.00	
Total		147,750.00
(d) Equalization Fund		250,000.00
(This is the appropriation set out under Act No. 160, 3rd Special Session of the 1971 Alabama Legislature.)		

(87) RIVERBOAT ASSOCIATION, MONTGOMERY	25,000.00
(88) OFFICE OF SECRETARY OF STATE:	
(a) For operation of the Department:	
For the salary of the Secretary of State	22,959.00
For other salaries	78,026.00
For other expenses	29,250.00
For equipment purchases.	<u>2,500.00</u>
Total	132,735.00
(b) Law Books Inventory:	
For salaries	9,000.00
For other expenses	4,000.00
For equipment purchases.	<u>2,000.00</u>
Total	15,000.00
(c) Uniform Commercial Code:	
For salaries	56,000.00
For other expenses	28,000.00
For equipment purchases.	<u>3,500.00</u>
Total	87,500.00
(89) SECURITIES COMMISSION:	
For salaries	104,000.00
For other expenses	15,000.00
For equipment purchases.	<u>5,000.00</u>
Total	124,000.00
(90) STATE'S SHARE OF SOCIAL SECURITY, ESTIMATED	1,200,000.00
(91) SOCIAL SECURITY ADMINISTRATION:	
For salaries	115,000.00
For other expenses	19,000.00
For equipment purchases.	<u>2,000.00</u>
Total	136,000.00
(92) SOIL CONSERVATION COMMITTEE:	
For salaries	46,122.00
For other expenses	71,778.00
For Watershed Planning Party	75,000.00
Water Conservation Districts	60,300.00
For equipment purchases.	<u>1,000.00</u>
Total	254,200.00
(93) SOUTHERN INTERSTATE NUCLEAR BOARD	11,057.00
(94) WOMEN'S COMMISSION, ALABAMA ..	10,000.00
(95) SPORTS HALL OF FAME BOARD	25,000.00
(To carry out provisions of Act No. 225, 1967 Regular Session.)	
(96) ALABAMA STEER SHOW ASSOCIATION	10,000.00

(97)TANNEHILL FURNACE AND FOUN- DRY COMMISSION	50,000.00
(98)TENNESSEE RIVER DEVELOPMENT AUTHORITY	10,000.00
(99)TENNESSEE-TOMBIGBEE WATER- WAY DEVELOPMENT AUTHORITY .. (To carry out the provisions of Act No. 355, 1957 Regular Session, approved August 23, 1957.)	120,000.00
(100) STATE TOXICOLOGIST:	
For the salary of the State Toxicologist	26,252.00
For other salaries	420,748.00
For other expenses	80,000.00
For equipment purchases. . .	25,000.00
For automotive equipment purchases	8,000.00
For Matching Federal Funds. <u> </u>	60,000.00
Total	620,000.00
(101) OFFICE OF THE STATE TREASURER:	
For the salary of the State Treasurer	22,959.00
For other salaries	300,000.00
For other expenses	75,000.00
For equipment purchases. . .	12,000.00
For vault equipment pur- chases	3,000.00
Total	412,959.00
(102) STATE TREASURER—PREVIOUS YEAR UNPAID WARRANTS, ES- TIMATED	50,000.00
(103) TRI-RIVERS DEVELOPMENT AS- SOCIATION	30,000.00
(104) COMMISSION ON UNIFORM STATE LAWS	4,000.00
(Total amount appropriation by Act No. 926, Acts 1951, page 1575, for expenses, operation and contributions of Com- mission.)	
(106) DEPARTMENT OF VETERANS AFFAIRS:	
For the salary of the Service Commissioner	19,996.00
For other salaries	1,186,995.00
For other expenses	67,000.00
For equipment purchases. . .	4,000.00
For contract with Veterans of Foreign War Organization. .	36,000.00
For contract with disabled American Veterans Organi- zation	9,000.00
Automotive Equipment Purchases	16,000.00

Total	1,338,991.06
(107) NATIONAL VETERANS DAY COMMITTEE, BIRMINGHAM, ALABAMA .	3,000.00
(108) VETERANS DAY COMMISSION, ALABAMA.....	1,500.00
(109) VETERANS DAY COMMISSION, NATIONAL.....	1,500.00
(110) WATERSHED CONSERVANCY DISTRICTS:	
(1) Bear Creek Development Authority ...	35,000.00
(2) Choccolocco Watershed	4,000.00
(3) Crooked Creek Watershed	2,500.00
(4) Ketchepedrakee Watershed	2,500.00
(5) Big Nance Creek Watershed.....	2,500.00
(111) LAW ENFORCEMENT PLANNING AGENCY:	
Diversion Investigating Unit	350,000.00
(Conditional upon the condition of the State Treasury and upon the approval of the Governor.)	
(112) TALLASSEEHATCHEE WATERSHED .	2,500.00
(113) Transfer to State Highway Department. . .	13,500,000.00
For Transfer to State Highway Department conditional upon the condition of the State Treasury and with the approval of the Governor.....	3,000,000.00
(114) Pea River Historical and Genological Society of Enterprise	25,000.00
(115) Agricultural and Industrial Exhibit Commission For the construction of a Swine Pavilion.....	150,000.00
(116) Interstate Mining Compact.....	4,500.00
(117) Birmingham Festival of Arts	25,000.00
(118) For Alabama Travel Council	15,000.00
B. DEBT SERVICE:	
(1) For the payment of principal and interest due on bonds issued by Alabama State Hospitals and Partlow State School Bond Commission pursuant to Constitutional Amendment No. CXVIII.....	281,440.00
(2) For interest on Spanish American War Veterans Fund, Estimated	294.86
(3) For the payment of principal and interest due on bonds issued by State Docks—Inland Waterways, pursuant to Constitutional Amendment No. CXVI, Estimated	1,851,512.50
(4) For the payment of principal and interest on bonds issued by the State Parks Develop-	

ment Authority pursuant to Constitutional Amendment as provided in Act No. 272, 1967 Regular Session, Estimated	771,495.00
(5) For the payment of principal and interest due on bonds issued for the Space Exhibit Commission pursuant to Constitutional Amendment No. CCXXIV	227,480.00
(6) For the payment of principal and interest due on bonds issued for the Tennessee-Tombigbee Waterway pursuant to Constitutional Amendment No. CCLXX as provided by in Act No. 248, 1967 Regular Session, Estimated	438,445.00
C. FROM FUNDS OTHER THAN GENERAL FUND:	
(1) ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY:	
For salaries, other expenses and equipment purchases	105,000.00
In addition to the amount appropriated hereinabove to the Alabama State Board of Public Accountancy, there is hereby appropriated such an amount as may be necessary to pay the refund of any applications for license which may have been rejected by the Board or withdrawn by request of applicant.	
The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama State Board of Public Accountancy Fund.	
(2) AERONAUTICS DEPARTMENT:	
(a) For the salary of the Director, Estimated	22,729.00
For other salaries	70,000.00
For other expenses	40,079.00
For equipment purchases.	1,000.00
Total	133,808.00
(b) For State Aid to Airports—For Airports and Airmarkings	450,000.00
The above appropriation to Aeronautics Department shall be paid from the State Airports Development Fund as provided by Act No. 402, Acts 1945, page 620, and the total expenditures shall in no manner exceed the amounts hereby appropriated.	
(3) COMMISSION ON AGING:	
For salaries, other expenses, equipment purchases, automotive equipment purchases and contracts	175,000.00
The above appropriation is payable from the funds transferred to this account in Item	

III A (4) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.

(4) AGRICULTURE AND INDUSTRIES:

(a) For the salary of the Commissioner	22,959.00	
For other salaries	2,576,863.00	
For other expenses	910,000.00	
For equipment purchases	80,000.00	
For automotive equipment purchases	109,738.00	
For transfer to State Personnel Department	10,990.00	
For transfer to Agriculture Center Board	54,450.00	
For awarding prizes and premiums	20,000.00	
For transfer to Telephone Revolving Fund	18,900.00	
Total		3,803,900.00

The above appropriations are payable from funds in the Agricultural Fund and shall include the appropriations made to said fund in Item III A (5)(a). The above appropriations for other salaries, other expenses, equipment purchases and automotive equipment purchases shall be used for the operation and maintenance of the Department of Agriculture and Industries and for Bangs Disease Control, Disease of Swine, Swine Diagnostic Laboratory, Fire Ant Control, Pesticide Laboratory, Poultry Disease Control, White Fringed and Japanese Beetle Control, for inspection, grading and classification of fruits and vegetables, and any other services connected with the operations of Agriculture and Industries in the State of Alabama.

Any surplus remaining in the Agricultural Fund at the end of the fiscal year in excess of \$150,000.00 shall be transferred to the State General Fund.

(b) Egg Inspection Division:		
For salaries	66,000.00	
For other expenses	14,550.00	
For equipment purchases	1,000.00	
For automotive equipment purchases	11,000.00	
Total		92,550.00
The above appropriations are payable from funds in the Egg Inspection Fund		

and shall include the appropriations made to said fund in Item III A (5)(c).

- (c) Meat and Poultry Inspection Division:
 For salaries 990,000.00
 For other expenses 255,000.00
 For equipment purchases. 4,000.00
 Total..... 1,249,000.00
 The above appropriations are payable from the funds to the credit of the Meat and Poultry Inspection Fund and shall include the appropriation made herein in Item III A (5) (b).
- (d) Plant Industry Division (Fire Ant Control)
 For salaries, other expenses, equipment purchases and for purchase of insecticides and chemicals for control of the fire ant, estimated..... 250,000.00
 The above appropriations are payable from the funds transferred to this account in Item III A (5) (d) of this Act. In addition to the above appropriation, any funds received for this work from the Federal Government and grants and contributions from other sources are hereby appropriated.
- (e) Agriculture Center Board:
 For salaries 36,036.00
 For other expenses 9,100.00
 For rental (Livestock Coliseum, Montgomery) . 54,450.00
 Total..... 99,586.00
 The above appropriation to the Agriculture Center Board shall be paid out of the Agricultural Center Board Fund and includes the appropriation made to said fund as provided in Item III A (6) (a) and Item III C (4)(a).
- (f) Livestock Coliseum:
 For salaries 115,000.00
 For other expenses 165,000.00
 For equipment purchases. . 6,000.00
 For repairs to Coliseum .. 25,000.00
 Total..... 311,000.00
 The funds hereinabove appropriated to the Agricultural Center Board for the Livestock Coliseum shall be paid out of the Livestock Coliseum Fund, and the appropriation herein above includes the appropriation made to said Fund as provided in Item III A (67).
- (g) Shipping Point Inspection Fund:
 There is hereby appropriated, out of

receipts to the Shipping Point Inspection Fund (Act No. 26, Legislature of 1956, approved March 23, 1956). For Shipping Point Inspection work performed by the Department of Agriculture and Industries for the payment of salaries, other expenses, equipment purchases and automotive equipment purchases, all fees and charges collected by the Commissioner of Agriculture and Industries and deposited into said fund, and such appropriation to the Department of Agriculture and Industries shall include all fees and charges collected and deposited therein for Shipping Point Inspection, grading and classification services for agricultural products including services furnished for weighing and issuing weight certificates to be used for the sale of agricultural commodities.

(5) ALCOHOLIC BEVERAGE CONTROL BOARD:

(a) Administrative and Stores Division:

For the salary of the Administrator.....	22,729.00	
For other salaries	10,336,115.93	
For other expenses (Transportation cost for merchandise excluded) ..	3,342,074.00	
For equipment purchases.	223,043.00	
For automotive equipment purchases	5,000.00	
Awards for Convictions, estimated	1,000.00	
For transfer to State Personnel Department ..	36,750.00	
For transfer to Mental Health Department	375,000.00	
For transportation cost on merchandise, estimated .	490,193.00	
For transfer to Telephone Revolving Fund	11,340.00	14,843,244.93

In addition to the above appropriations herein made there is hereby appropriated for each additional retail store put into operation during the fiscal year, an amount equal to the sum required to install and operate the last comparable retail store put into operation by said Board provided, however, that the sum appropriated for the operation of retail stores as provided herein shall be reduced in like manner

for each retail store closed or withdrawn from operation during the same period. There is further appropriated to the Alcoholic Beverage Control Board, after provision has been made for the other expenditures herein authorized such sums as are or may be necessary to purchase the alcoholic beverages which are essential to maintain adequate stocks and inventory for an economic and successful sales operation.

(b) Law Enforcement Division:

For salaries	1,520,060.00
For other expenses	563,996.00
For equipment purchases.	34,000.00
For automotive equipment purchases	<u>160,000.00</u>

Total

2,278,056.00

The appropriations hereinabove made (a) and (b) to the Alcoholic Beverage Control Board are made from the gross proceeds derived from the sale of alcoholic beverages by the Alcoholic Beverage Control Board.

(c) Beer Tax and Licenses

Division:

For salaries	629,388.00
For other expenses	317,972.00
For equipment purchases.	<u>4,500.00</u>

Total

951,860.00

In addition to the above appropriation it is further provided that, in the event any county or municipality of the State shall, during the fiscal period covered by this appropriation by proper referendum authorize the legal sale of malt and brewed beverages within such county or municipality, there is further appropriated, in addition to the amounts herein set out, an amount comparable to that expended during the prior fiscal year for beer and license tax supervision within counties or municipalities of similar size and population. Provided, further, that the amount appropriated herein shall be reduced in like manner in the event any county or municipality wherein malt and brewed beverages are now authorized by law to be sold shall, during the fiscal period covered by this appropriation by proper referendum, declare unlawful the sale in such

county or municipality of such malt or brewed beverages.

(6) STATE BOARD OF REGISTRATION
FOR ARCHITECTS:

For salaries	10,000.00
For other expenses	22,000.00
For equipment purchases.	300.00
Total	32,300.00

32,300.00

The above appropriation is payable out of funds in the State Treasury to the credit of the State Board of Registration for Architects pursuant to Title 46, Chapter 2, Code of Alabama 1940, as amended.

(7) ARMORY COMMISSION:

For salaries and other expenses	1,009,000.00
For equipment purchases.	10,000.00
For automotive equipment purchases	5,000.00
For Matching Federal Funds for the Construction and Renovations of Armories:	
Elba	80,000.00
Enterprise	193,000.00
Gadsden	160,000.00
Guntersville	114,000.00
Jacksonville	134,000.00
Birmingham—Fort John C. Persons	250,000.00
Luverne Armory	75,000.00

(For construction of Luverne Armory 60,000.00 of the amount above and 15,000.00 for land acquisition)

Total 2,030,000.00

The funds hereinabove appropriated to the Armory Commission shall be paid out of the funds in the State Treasury to the credit of Armory Commission and the appropriation hereinabove made includes the appropriation made for the care and maintenance of armories and construction as provided in Item III A(70)(d) in this Act. Provided, however, that the last Federal Government service contract reimbursement shall not revert to the State General Fund. Any surplus remaining in the Armory Commission at the end of the fiscal year in excess of \$50,000.00 shall be transferred to the State General Fund.

(8) ALABAMA COUNCIL ON THE ARTS
AND HUMANITIES:

For salaries, other expenses, and equipment purchases

100,000.00

The funds hereinabove appropriated to the Alabama Council on the Arts shall be paid

out of the Council on the Arts Fund and the appropriation hereinabove made includes the appropriation made in Item III A(11) of the Act.

(9) DEPARTMENT OF BANKING:

(a) Bureau of Banking:

For salaries, other expenses, equipment purchases and automotive equipment purchases, estimated	537,000.00
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The above appropriation shall be paid from the Banking Assessment Fees as provided in Act No. 373, 1965 Regular Session.

(b) Bureau of Credit Unions:

For salaries	69,667.00	
For other expenses	28,115.00	
For equipment purchases.	1,000.00	
Total		98,782.00

The above appropriation shall be paid from the Banking Department—Bureau of Credit Unions as provided in Act No. 2293, Regular Session 1971.

(10) DEPARTMENT OF BANKING—LOAN EXAMINATION FUND:

For salaries	230,000.00	
For other expenses	65,000.00	
For equipment purchases.	500.00	
Total		295,500.00

The above appropriation shall be paid out of the Loan Examination Fund as provided in Act No. 374, 1959 Regular Session.

(11) ALABAMA STATE BAR ASSOCIATION:

For salaries	100,000.00	
For other expenses	135,000.00	
For equipment purchases.	500.00	
Total		235,500.00

The above appropriation is payable out of the funds in the State Treasury to the credit of the Alabama State Bar Association, pursuant to Title 46, Chapter 3, Code of Alabama 1940.

(12) ALABAMA BICENTENNIAL COMMISSION:

For salaries and expenses	30,000.00
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The above appropriation is payable out of the funds to the credit of the Alabama Bicentennial Commission Fund and shall also include the appropriation in Item III A(19).

(13) STATE BOARD OF CHIROPRACTIC EXAMINERS:

For salaries	3,000.00
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For other expenses	7,700.00	
Total		10,700.00
The above appropriation shall be paid out of the State Board of Chiropractic Examiners Fund as provided in Act No. 108, 1959 Regular Session.		

(14) CONSERVATION DEPARTMENT:

(a) Administrative Division:		
For salary of the Director.	22,728.94	
For other salaries	498,079.90	
For other expenses	312,172.00	
For equipment purchases.	8,000.00	
For transfer to Personnel Department	17,010.00	
For transfer to telephone revolving Fund	7,560.00	865,550.84

The above appropriations shall be paid out of the Department of Conservation—Administrative Fund and includes the appropriations made to this Division as provided in this section.

(In addition to the monies hereinabove appropriated to the Administrative Division there is hereby conditionally appropriated to the Administrative Division conditioned upon the passage of legislation increasing vessel registration fees.)

For other salaries and expenses	60,000.00	
(b) Game and Fish Division:		
For salaries	2,953,643.00	
For other expenses	1,384,363.00	
For equipment purchases.	198,000.00	
For automotive equipment purchases	232,140.00	
For transfer to Conservation Department—Administrative Account.	339,505.81	
For transfer to Telephone Revolving Fund	7,380.00	
Total		5,115,031.81

The funds hereinabove appropriated to the Game and Fish Division shall be paid out of the Game and Fish Fund.

(c) State Lands Division:		
1. For salaries	85,000.00	
For other expenses	30,000.00	
For equipment purchases	5,000.00	
For transfer to Conservation Department—Administrative Account	14,000.00	134,000.00

The funds hereinabove appropriated to the State Lands Division shall be paid out of the State Lands Division Fund.

2. In addition to the above appropriation, there is also hereby appropriated from the State Lands Division Fund to the Lands Division for analyzing, cataloging and monitoring mineral reserves and the development thereof on State lands including water and offshore areas . .

125,000.00

(d) Marine Police Division:

For salaries	646,051.00
For other expenses	274,000.00
For equipment purchases	90,000.00
For automotive equipment purchases	70,000.00
For transfer to Conservation Department-Administrative Account	<u>126,101.00</u>

Total

1,206,152.00

The funds hereinabove are appropriated to the Marine Police Division of Marine Police Fund.

In addition to the monies hereinabove appropriated there is hereby conditionally appropriated from the Marine Police Fund to the Marine Police Division conditioned upon the passage of legislation to increase vessel registration fees.

For salaries	80,200.00
For other expenses	53,100.00
For equipment purchases	64,000.00
For automotive equipment purchases	27,900.00
For transfer to Conservation Department-Administrative Account	<u>60,000.00</u>

CAPITAL OUTLAY:

For access areas	270,500.00
For aids to navigation	<u>45,000.00</u>

Total

600,700.00

(e) Marine Resources Division:

For salaries	365,000.00
For other expenses	165,000.00
For equipment purchases	15,000.00
For automotive equipment purchases	15,000.00
For transfer to Conservation Department-Administrative Account	<u>55,000.00</u>
For Gulf State Marine Fisheries Commission	<u>5,000.00</u>

Total

620,000.00

In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Marine Resources Division Laboratory at Dauphin Island is hereby appropriated to the Division of Marine Resources and may be expended by the Director of Conservation on such Marine Resources Division Programs or projects which he deems appropriate. The funds hereinabove appropriated to the Marine Resources Division shall be paid out of the Marine Resources Fund.

In addition to the monies hereinabove appropriated there is hereby conditionally appropriated from the Marine Resources Fund to the Marine Resources Division conditioned upon the passage of legislation providing for a saltwater sport fishing license.

CAPITAL OUTLAY:

For access areas	75,000.00
For artificial reefs	<u>20,000.00</u>

Total	95,000.00
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(f) State Parks Division:

For salaries, other expenses, equipment purchases, automotive equipment purchases, capital outlay and for transfer to Conservation-Administrative Account, Estimated.

1,086,000.00

(Provided, however, of the amount appropriated hereinabove no less than \$100,000.00 shall be expended for operation and maintenance of Tannehill State Park.)

The funds hereinabove appropriated to the State Parks Division shall be paid out of the State Parks Fund. The funds hereinabove appropriated shall include the appropriations made in Item III A (25) in this Act.

(15) STATE LICENSING BOARD FOR
GENERAL CONTRACTORS:

For salaries	77,000.00
For other expenses	42,000.00
For equipment purchases.	<u>7,800.00</u>

Total	126,800.00
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In addition to the amounts appropriated hereinabove to the State Licensing Board for General Contractors there is hereby appropriated such an amount as may be necessary to pay the refund of any appli-

cation for license which may have been rejected by the Board or application withdrawn by request of applicant.

The above appropriations are payable out of the funds in the State Treasury to the State Licensing Board for General Contractors pursuant to Title 46, Chapter 4, Code of Alabama 1940.

(16) BOARD OF CORRECTIONS:

For the salary of the Commissioner.....	23,866.00	
For other salaries.....	5,803,655.00	
For other expenses.....	3,300,000.00	
For equipment purchases....	150,000.00	
For automotive equipment purchases.....	100,000.00	
For Debt Service, estimated .	60,000.00	
For transfer to the State Personnel Department.....	21,560.00	9,459,081.00

The funds hereinabove appropriated to the Board of Corrections shall be paid out of the Board of Corrections Fund and the appropriation hereinabove made includes the appropriation made to the said fund as provided in Item III A(26) of this Act. Provided, however, the Commissioner of Corrections is authorized to utilize funds herein appropriated as matching contributions, where required and appropriate, to generate additional funds which would effectively increase the appropriations for the Board of Corrections. Any such grant funds so generated and in direct support of the Board of Corrections operations are also hereby appropriated.

(17) ALABAMA BOARD OF COSMETOLOGY:

For salaries.....	96,941.00	
For other expenses.....	85,000.00	
For equipment purchases....	5,000.00	
For construction of building .	75,000.00	261,941.00

The above appropriations shall be payable from the funds in the State Treasury to the credit of the Alabama Board of Cosmetology pursuant to provisions of Act No. 653, 1957 Regular Session.

(18) DAIRY COMMISSION:

For salaries.....	177,570.00	
For other expenses.....	100,000.00	
For cost study.....	20,000.00	
For equipment purchases....	1,500.00	299,070.00

The above appropriations shall be paid out of the Dairy Commission Fund as is provided in Title 22, Chapter 7, Code of Alabama 1940.

(19) ALABAMA DEVELOPMENT OFFICE:

For salaries, other expenses, equipment purchases, automotive equipment purchases, national advertising and industrial promotion and contracts, estimated 2,561,000.00

The above appropriations shall be paid from Alabama Development Office Fund and shall include appropriations made in Item III A (31) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Development Office from whatever source are hereby appropriated.

(20) ALABAMA STATE DOCKS BOARD:

For transfer to the State Personnel Department 3,640.00

The above appropriations shall be paid from income, receipts and revenues derived from the operations of the Alabama State Docks Board.

(21) STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS:

For salaries	60,400.00	
For other expenses	45,000.00	
For investigations and court costs	15,000.00	
For equipment purchases . . .	500.00	
Total		120,900.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Professional Engineers Fund as provided in Title 46, Chapter 7, Code of Alabama 1940, as amended.

(22) ALABAMA ETHICS COMMISSION:

For operations of the Alabama Ethics Commission, estimated 136,000.00

The above appropriations are payable out of funds in the State Treasury to the credit of the Alabama Ethics Commission and shall include the appropriation herein made in Item III A (37) of this Act.

(23) FARMERS MARKET AUTHORITY:

For salaries	31,559.00	
For other expenses	13,841.00	
Total		45,400.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Farmers Market Authority and shall include the appropriation herein made in Item III A (39) of this Act.

(24) DEPARTMENT OF FINANCE:

Data Systems Management:
For operations of Data Systems Management 150,000.00

The above appropriations shall be paid from the Data Systems Management Fund and shall include the appropriation herein made in Item III A (41) (e) of this Act.

(25) FIRE MARSHALL FUND:

For salaries	100,000.00	
For other expenses	85,000.00	
For equipment purchases. . . .	<u>2,500.00</u>	
Total		187,500.00

The above appropriations shall be paid from the Fire Marshall fund as provided in Act 1938, 1971 Regular Session.

(26) STATE FORESTRY COMMISSION:

For salaries	3,800,000.00	
For other expenses	902,065.00	
For equipment purchases. . . .	150,000.00	
For automotive equipment purchases	73,755.00	
For transfer to State Personnel Department.	12,180.00	
For transfer to Tel. Revolving Fd.	<u>19,440.00</u>	
		4,957,440.00

The funds hereinabove appropriated to the Forestry Commission shall be paid out of the Forestry Fund and the appropriations made to the said fund as provided in Item III A (43) of this Act. It is provided that in the event receipts into the Forestry Fund from County appropriations exceed the sum of \$500,000.00, then such excess is hereby appropriated. It is further provided that in the event receipts into the Forestry Fund from Federal Funds exceed the sum of \$793,000.00, then such excess is hereby appropriated. In the event of an emergency, so determined by the Director of the Forestry Commission and the Governor, the Director of the Forestry Commission with the approval of the Governor is hereby authorized to meet such emergency by transferring to and from any item of expenditure herein appropriated for use by the Forestry Commission.

(27) STATE BOARD OF REGISTRATION FOR FORESTERS:

For other expenses	7,305.00	
For equipment purchases. . . .	<u>700.00</u>	
Total		8,005.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Professional Foresters' Fund.

(28) LICENSING BOARD FOR THE HEALING ARTS:

For salaries	46,318.00
For other expenses	14,250.00

For equipment purchases.	<u>15,000.00</u>	
Total		75,568.00

The above appropriations are payable out of the funds in the State Treasury to the credit of the Licensing Board for the Healing Arts.

(29) HEALTH DEPARTMENT:

- (a) Health Department:
For salaries, other expenses, equipment purchases and transfers for County Health Work, estimated 1,656,785.00
The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act. No. 654, 1965 Regular Session.
- (b) Health Department:
For salaries, other expenses, equipment purchases, and transfers for County Health Work, estimated 2,121,300.00
The above appropriations are payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 275 1967 Regular Session.
- (c) County Health Work:
For salaries, other expenses, and equipment purchases, estimated 2,869,000.00
The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) and funds transferred in Item III C (29) (a) and Item III C (29) (b) in this Act. In addition to the above appropriation, and funds received for this work from the several counties or the Federal Government are hereby appropriated.
- (d) Ambulance Operators (Emergency Medical Services)
For salaries, other expenses and equipment purchases, estimated 55,650.00
The above appropriations are payable from the funds in the Emergency Medical Services Fund as provided in Act No. 1590, 1971 Regular Session and shall include any funds transferred to this account in Item III A (52) (a) of this Act.
- (e) Hearing Aid:
For salaries 2,867.00
For other expenses 9,150.00
For equipment purchases. 600.00
Total 12,617.00

The above appropriations are payable from the funds in the Hearing Aid Fund as provided in Act No. 2425, 1971 Regular Session.

- (f) Hospital Licensing:
For salaries and other expenses, estimated 37,500.00
The above appropriations are payable from funds in the Hospital Licensing Fund and the total expenditures shall in no manner exceed the amounts hereby appropriated and the appropriation hereinabove made shall include any funds transferred in Item III A (52) (a) in this Act.
- (g) Indigent Care:
For salaries and for distribution to counties, estimated 337,442.00
The above appropriations are payable from any funds transferred to this account in Item III A (52) (a) of this Act. In addition to the above appropriation, any funds received for this work from the several counties or the Federal Government are hereby appropriated.
- (h) Medicaid:
For the operation of the Medicaid Program 50,600,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (52) (b) of this Act. In addition to the above appropriations, any and all funds received to the credit of the Medicaid Program from whatever source including all funds received from the Federal Government are hereby appropriated.
(Provided no more than 10% override of 1/4 of budget can be spent in the first quarter, 5% override in the second quarter. Budget must be balanced third and fourth quarters. Funds can be carried over from quarter to quarter and no funds will lapse if not spent in any quarter.)
- (i) Bureau of Vital Statistics:
For salaries, other expenses and equipment purchases, estimated 410,000.00
The above appropriations are payable from the funds in the Vital Statistics Fund and shall include any funds transferred to this account in Item III A (52) (a) of this Act.

- (j) Water Plant Operators Certifications:
For expenses and equipment purchases. 4,250.00
The above appropriations are payable from the funds in the Water Plant Operators Certifications Fund as provided in Act No. 1594, 1971 Regular Session.
- (k) Water Well Standards Board, Alabama:
For salaries, other expenses and equipment purchases. 48,933.00
The above appropriations are payable from the Water Well Standards Board Fund as provided in Act No. 1516, 1971 Regular Session.
- (30) THE OFFICE OF HIGHWAY AND TRAFFIC SAFETY:
For salaries, other expenses, and equipment purchases. 75,000.00
The above appropriations are payable from the funds transferred to this account in Item III A (54) of this Act. In addition to the above appropriation, any funds received for this work from the several counties, cities or the Federal Government are hereby appropriated.
- (31) ALABAMA HISTORICAL COMMISSION:
For operations of the Alabama Historical Commission. 264,720.00
(Of the amount above \$85,000.00 shall be expended for the completion of Constitutional Hall at Huntsville and \$35,000.00 for purchase and/or preservation of Steverson Depot in Jackson County, Alabama.)
The above appropriations shall be paid from the Alabama Historical Commission Fund transferred to this account in Item III A (55) of this Act. All gifts, grants, contributions or other appropriations received by the Alabama Historical Commission from whatever source are hereby appropriated.
- (32) DEPARTMENT OF INDUSTRIAL RELATIONS:
For the salary of the Director, estimated. 22,694.00
For transfer to the State Personnel Department. 35,420.00
For transfer to Telephone Revolving Fund. 159,536.00
For other salaries and expenses incident to the operation and management of the Department; for U. S. Employment Service, U. S. Unemployment Compensation, and for such other funds, services and

operations for which the United States Government may provide monies; there is hereby appropriated. In addition to the amounts appropriated herein in Item III A (58) all such sums as the United States Government may make available therefor.

(33) STATE INSURANCE FUND:

For salaries	161,470.00
For other expenses	53,331.00
For equipment purchases. . . .	3,000.00
For automotive equipment purchases	<u>5,000.00</u>

Total	222,801.00
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The above appropriations are payable from the funds in the State Treasury to the credit of the State Insurance Fund, pursuant to Title 28, Section 325, Code of Alabama 1940.

(34) LAW ENFORCEMENT FUND..... 10,000.00

The above appropriations shall be paid from the proceeds deposited to the credit of the Law Enforcement Fund pursuant to Title 29, Section 251, Code of Alabama 1940, as amended, and the expenditures authorized from such funds are limited to the amount appropriated herein.

(35) LIQUEFIED PETROLEUM GAS

BOARD:

For salary of Director, estimated	18,018.00
For other salaries	35,582.00
For other expenses	17,000.00
For equipment purchases. . . .	<u>1,000.00</u>

Total	71,600.00
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The above appropriations shall be paid from receipts paid into the Liquefied Petroleum Gas Fund.

(36) BOARD OF NURSES' EXAMINERS AND REGISTRATION:

For salaries	123,270.00
For other expenses	95,000.00
For equipment purchases. . . .	2,500.00
For automotive equipment purchases	<u>4,000.00</u>

Total	224,770.00
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The above appropriations are payable out of the funds in the State Treasury to the credit of the State Board of Nurses' Examiners and Registration as provided in Title 46, Chapter 10, Code of Alabama 1940, as amended.

(37) BOARD OF NURSING HOME ADMINISTRATION:

For expenses incident to the operation and

- maintenance of the Board of Nursing Home Administration, estimated 23,600.00
 The above appropriations shall be paid from receipts paid into the Board of Nursing Home Administration Fund.
- (38) PEACE OFFICERS ANNUITY AND BENEFIT FUND, ALABAMA:
- | | | |
|------------------------------|-----------------|------------|
| For salaries | 81,321.00 | |
| For other expenses | 39,200.00 | |
| For equipment purchases. ... | <u>3,000.00</u> | |
| Total | | 123,521.00 |
- The above appropriations shall be paid from the Peace Officers Annuity and Benefit Fund as provided in Act No. 1210, 1971 Regular Session.
- (39) PENSIONS:
- (a) For Confederate Veterans and their widows:
 Such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows. The above appropriation shall be paid out of the proceeds from the levy of the one mill tax as provided by Title 51, Section 19, Code of Alabama 1940.
- (40) DEPARTMENT OF PENSIONS AND SECURITY:
- | | |
|--|------------|
| For the salary of the Commissioner, estimated | 22,694.00 |
| For transfer to the State Personnel Department | 106,120.00 |
| For transfer to Tele. Revolving Fund | 126,496.00 |
- For other salaries, expenses, equipment purchases and automotive equipment purchases incident to the operation and management of the Department for all welfare purposes as provided by law, there is hereby appropriated. In addition to the amounts set out in Item III A (73), all Federal, State, County and Municipal Funds made available therefor.
- (41) PERSONNEL DEPARTMENT:
- | | | |
|---|------------------|------------|
| For the salary of the Director, estimated | 22,605.25 | |
| For other salaries | 440,000.00 | |
| For other expenses | 145,244.75 | |
| For equipment purchases. ... | <u>17,150.00</u> | |
| Total | | 625,000.00 |
- The above appropriations shall be paid from funds transferred to, or received by, the State Personnel Department provided in this or any other Act.

(42) BOARD OF EXAMINERS OF PSYCHOLOGY:

For salaries, other expenses, and equipment purchases, estimated	2,640.00
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The above appropriations shall be paid from the receipts paid into the Board of Examiners of Psychology Fund and shall include the appropriation made in Item III A (79) of this Act.

(43) BUREAU OF PUBLICITY AND INFORMATION:

For salaries	85,070.00	
For other expenses	79,600.00	
For equipment purchases. . . .	4,000.00	
For automotive equipment purchases	5,000.00	
For advertising.	<u>650,000.00</u>	
Total		823,670.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session.

(44) PUBLIC SCHOOL FUND:

For the Public School Fund all funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars (\$100.00) of taxable property in this State for the support and maintenance of the public schools and from other funds mentioned and enumerated in Sections 257, 258 and 260 of the Constitution of 1901; and the amount appropriated from all other funds as is now provided by law, provided, however, not more than four percent of all funds appropriated in this Section shall be used or expended otherwise than for the payment of teachers employed in such schools.

(45) PUBLIC SERVICE COMMISSION:

For salary of the President and Two Associate Commissioners	62,085.00	
For other salaries	1,100,000.00	
For other expenses	329,000.00	
For equipment purchases. . . .	20,000.00	
For automotive equipment purchases	30,000.00	
For transfer to telephone Rev. Fd.	<u>16,740.00</u>	
		1,557,825.00

The above appropriations to the Alabama Public Service Commission shall be payable only out of inspection and supervision fees paid by utilities and transportation companies, and such parts or percentage of fees and taxes paid by motor carrier or motor transportation companies as are

now or may be set aside by law to be used by the Commission. Any surplus remaining in the Alabama Public Service Commission at the end of the fiscal year in excess of \$300,000.00 shall be transferred to the State General Fund.

(46) ALABAMA REAL ESTATE COMMISSION:

For salaries	125,000.00	
For other expenses	75,000.00	
For equipment purchases.	10,000.00	
Total		210,000.00

The above appropriations shall be paid out of the receipts to the Alabama Real Estate Fund as provided in Title 46, Chapter 14, Code of Alabama 1940, as amended, and the total expenditures shall in no manner exceed the amounts hereby appropriated.

(47) DEPARTMENT OF REVENUE:

Auto Title and Auto Theft Fund:
For expenses incident to the operations of the Auto Title and Auto Theft Act, estimated

500,000.00

The above appropriation shall be paid from funds in the State Treasury to the credit of the Auto Title and Auto Theft Fund and shall include the appropriation made in Item III A (86) (b).

(48) DEPARTMENT OF REVENUE:

For the Administrative Account of the Department of Revenue there is hereby transferred from the General Fund and appropriated as provided in Item III A (86) (a) of this Act

1,201,096.54

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Financial Institution Excise Tax collections as part of the cost of operating said Department

124,416.37

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Forest Severance Tax Collections as part of the cost of operating said Department ..

126,809.00

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Gasoline Tax Collections as part of the cost of operating said Department

832,632.66

There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Income Tax Collections for the cost of collecting said tax

2,765,871.71

There is hereby appropriated for transfer to

Revenue Department, Administrative Account from the gross proceeds of Motor Fuel Tax Collections as part of the cost of operating said Department	480,917.14
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections as part of the cost of operating said Department	486,898.70
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Pension Fund as part of the cost of collections of the 1-Mill Ad Valorem Tax	148,342.60
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the Public School Fund as part of the cost of collections of the 3-Mill Ad Valorem Tax	367,267.57
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Sales Tax Collections as part of the cost of operating said Department	3,848,533.43
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Tobacco Tax Collections as part of the cost of operating said Department	793,154.39
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of the Utility Tax Collections as provided in Act No. 37, 1969 Special Session	247,636.44
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Use Tax Collections as part of the cost of operating said Department	379,230.68
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Cigarette Tax Collections Act 275, 1967 Regular Session as part of the cost of operating said Department	160,305.71
There is hereby appropriated for transfer to Revenue Department, Administrative Account from the gross proceeds of Motor Vehicle License Collections for the purchase only of Motor Vehicle License Tags .	1,552,500.00
(49) DEPARTMENT OF REVENUE-ADMINISTRATIVE ACCOUNT:	
For salary of Commissioner	22,728.94
For other salaries	7,958,254.00
For other expenses, estimated	2,497,600.00
For equipment purchases	30,000.00

For automotive equipment purchases	22,000.00	
For transfer to State Personnel Department.....	24,780.00	
For transfer to Telephone Revolving Fund	29,160.00	
Total		10,584,522.94

The amounts hereinabove appropriated for the cost of maintenance and operation of the Department of Revenue are in lieu of any other statutory provision for the payment of the cost of operating said Department or collection of the taxes as authorized by law. Provided, however, in addition to the amount, hereinabove appropriated, there is hereby appropriated to the Department of Revenue all sums allowed the Department of Revenue by local Acts of the Legislature as a charge for the collection of taxes or licenses.

(50) STATE BOARD OF REGISTRATION FOR SANITARIANS:

For salaries	1,200.00	
For other expenses	1,900.00	
Total		3,100.00

The above appropriations shall be paid from the receipts collected under the provisions of Act No. 209, 1964 Second Special Session.

The appropriations hereinabove made shall be paid from the funds transferred from the Alcoholic Beverage Control Board to the Education Department.

(52) ALABAMA THERAPIST BOARD:

For expenses	6,700.00	
For equipment purchases.	200.00	
Total		6,900.00

The above appropriations shall be paid from receipts paid into the Alabama Therapist Board Fund.

(53) STATE BOARD OF VETERINARY MEDICAL EXAMINERS:

For salaries	100.00	
For other expenses	11,500.00	
For equipment purchases.	400.00	
Total		12,000.00

The above appropriations are payable from the funds in the State Treasury to the credit of the State Board of Veterinary Medical Examiners, pursuant to the provisions of Act No. 945, approved September 13, 1951.

(54) UNIVERSITY OF ALABAMA—BIRMINGHAM-MEDICAL CENTER:

For constructing, operating and maintaining a school or college of Optometry, estimated	15,000.00
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The above appropriations shall be paid from the funds in the State Treasury to the credit of the Optometry Trust Fund.

(55)(1) BOARD OF TRUSTEES OF UNIVERSITY OF ALABAMA:

(a) For the University of Alabama in Birmingham, for salaries, stipends and scholarships in Psychiatry; for the training of professional Mental Health personnel and psychiatric nurses, and state indigent mental patients.....	2,200,000.00
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(b) Center for Learning disorders for Mental Retardation	100,000.00
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(2) TO STATE MENTAL HEALTH DEPARTMENT:

(a) For operation and maintenance of the State Mental Health Department including the purchase of drugs to medically indigent mental patients not hospitalized at time of receiving drugs at the Alabama State Hospitals.....	32,122,872.46
Conditional upon the condition of the fund and upon the approval of the Governor.....	3,900,000.00

(b) For operation and maintenance of Community Mental Health Programs	6,650,000.00
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(3) For payment of principal and interest due on bonds issued by the University of Alabama pursuant to Constitutional Amendment CXLI	200,910.20
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(The appropriations hereinabove made in Items 1, 2, 3 shall be paid from the funds deposited in the State Treasury to the credit of the Special Mental Health Fund.)

(4) STATE DEPARTMENT OF MENTAL HEALTH:

For transfer to the State Personnel Department.....	151,410.00
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For transfer to Telephone Revolving Fund.....	186,440.00
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For support, maintenance and capital expenditures the several sums appropriated in Item 4 of sub-section (55) and the amounts provided in Act No. 654, 1965 Regular Session and Act No. 275, 1967 Regular Session and the Education Appropriation Bill are

hereby appropriated. Expenditures to be made at the direction of the Alabama Mental Health Board.

(56) HIGHWAY DEPARTMENT:

- (1) There is hereby appropriated, for payment of the principal of and the interest on all bonds heretofore or hereafter issued for public highway and bridge purposes, or either, by the State of Alabama, Alabama Highway Authority, or Alabama Highway Finance Corporation, so much as may be necessary for payment of said principal and interest at their respective maturities, of the revenues pledged for such payment.
- (2) There are also appropriated, out of the revenues accruing to the State Highway Department, the following sums for the following purposes:
 - (a) For transfer to the State Personnel Department 139,580.00
 - (b) For the administration of the State Highway Department for salaries and other expenses 5,600,000.00
 - (c) For operation of the State Highway Department, for salaries and other expenses 505,000.00
 - (d) For supervision of the State Highway Department, for salaries and other expenses 9,563,000.00
 - (e) For equipment purchases, Road Machinery and Equipment 7,000,000.00
 - (f) For Equipment Purchases—Other Equipment 500,000.00
 - (g) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses 31,334,991.50
 - (h) For the purchase or construction of land and building for the operation of the Highway Department 1,500,000.00
 - (i) For the maintenance of roads and bridges in the State Highway System, for salaries and other expenses, conditional upon the release of any of the conditional appropriations contained in Section 2, III, A (113) of this Act 3,000,000.00
 - (j) To establish a Revolving Fund for Inventories, Manufacturing, and clearing accounts 4,500,000.00

- (k) For transfer to the Telephone Revolving Fund. 112,808.00
- (3) There are also appropriated, out of the proceeds from the sale of bonds that may hereafter be issued for public highway and bridge purposes, or either, by the State of Alabama or by Alabama Highway Authority of the revenues accruing to the State Highway Department, the following sums for the following purposes:
- (a) For matching Federal Funds 39,000,000.00
- (b) For construction of feeder roads and other portions of, or work in respect to, Federal Aid Projects for which portions or work Federal Matching Funds are not available 3,000,000.00
- (c) For construction of roads and bridges for which no matching funds are available 7,995,037.50
- The Highway Director with the consent of the Governor and the Budget Officer shall have the authority to transfer any appropriation or any portion thereof between and among sub-sections (a), (b), (c) of this section whenever such transfer shall be necessary to assure maximum utilization of Federal Matching Funds which shall become available.
- (4) In the event that there shall not be sufficient funds available for payment of all appropriations hereinabove made, the following provisions shall be applicable:
- (a) In the event of such insufficiency in respect of the said revenues accruing to the State Highway Department:
- (1) the appropriations made in Section 1 hereof shall be paid in full:
- (2) the appropriations made in Section 2 hereof shall be paid in full:
- (3) the appropriations from the the revenues accruing to the Highway Department that are herein made for the purposes referred to in Section 3 hereof shall be allocated among the purposes referred to in the said Section 3 in such order and with such priorities as the State Highway Director shall from time to time direct; and

- (5) The funds appropriated in Section 3 hereof, for the matching of Federal funds, shall not revert at the end of the fiscal year for which such appropriations are made, but shall remain available for the purposes for which such appropriation was made.
- (6) In addition to the appropriations hereinabove made there is hereby appropriated to the State Highway Department the funds accruing thereto from the so-called "Captive Counties" for road and bridge construction and maintenance, and for salaries, other expenses, equipment purchases, and automotive equipment purchases related thereto to be expended only for the benefit of the particular county or counties from which such revenues are derived.
- (7) In addition to all appropriations hereinabove made, there is hereby appropriated to the State Highway Department all Federal funds accruing thereto to be expended only for the purposes for which such funds are made available.
- (8) Not later than ninety (90) days following the end of each fiscal year for which appropriations are made herein, the State Highway Director shall transmit to the Governor, the Lieutenant Governor, and each member of the Legislature, a report stating the portions of each appropriation made herein that have been spent in each county in the State during the fiscal year then ended.

(57) ALABAMA SPECIAL EDUCATIONAL TRUST FUND:

There are also appropriated, out of the revenues accruing to the Alabama Special Educational Trust Fund the following sums for the following purposes:

- (1) UNIVERSITY OF ALABAMA — UNIVERSITY HOSPITAL & CLINICS:

For operation and maintenance
 (Provided that insurance companies, whether operated for profit or not for

2,000,000.00

profit, licensed under the law of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Hospital and Clinics for patient care services.)

(2) UNIVERSITY OF SOUTH ALABAMA—UNIVERSITY MEDICAL CENTER:

For operation and maintenance 500,000.00

(Provided that insurance companies, whether operated for profit or not for profit, licensed under the laws of the State of Alabama to underwrite health and accident insurance, are hereby prohibited from applying or taking into account in any manner whatsoever any portion of this appropriation in determining reimbursement to University Medical Center for patient care services.)

- (3) For transfer to State Department of Mental Health to be expended by the State Department of Mental Health to educate, train and rehabilitate persons under the care and control of the State Department of Mental Health who have emotional and psychological problems or mental deficiencies requiring such special education, training and rehabilitation at Partlow State School and Hospital and other institutions where such persons reside 19,000,000.00
- (4) For Transfer to the State General Fund 9,957,000.00

Section 3. That any surplus remaining in any appropriation herein made from the General Fund for the payment of salaries in any office, department, bureau, board, commission, or other agency after provision has been made for the payment of all salaries in that office, department, bureau, board, commission, or other agency for which the appropriation is made, may be transferred, on order of the Governor, to any other appropriation herein made from the General Fund for the payment of all salaries in any office, department, bureau, board, commission, or other agency when the appropriation herein made from the General Fund for the payment of salaries in that office, department, bureau, board, commission, or other agency is insufficient to pay all the salaries in that office, department, bureau, board, commission or other agency according to the pay plan recommended by the Personnel Board, and approved by the Governor.

Section 4. That, except as may be herein otherwise provided, that amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes. That the

amounts herein appropriated are the maximum amounts to be expended for the purposes herein designated and in no event shall the maximum expenditure provided for any items of expense exceed the amount allocated herein except for those appropriations designated as "estimated", and all appropriations herein made, except appropriations to the Alabama Alcoholic Beverage Control Board for the purchase of alcoholic beverages, are and shall be subject to the terms, conditions, provisions and limitations of Title 55, Chapter 4, Article 3, Code of Alabama 1940.

Section 5. That nothing in this Act shall be construed to affect or repeal any law authorizing or permitting any college, school or other educational or eleemosynary institution of the State to receive, collect or disburse any fees, tuitions, charges, sales, endowments, trusts or income therefrom, which it now or may hereafter be authorized to receive, collect or disburse.

Section 6. In addition to the appropriations herein made, all gifts, grants, or contributions, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made.

Section 7. There is hereby appropriated the following amounts which are anticipated to be received by the State of Alabama during the period October 1, 1975, through September 30, 1976, as grants or entitlements under the State and Local Fiscal Assistance Act of 1972, Public Law 92-512, 92nd Congress, 1972.

A. Parks:	
For operation and maintenance of the Parks System.....	2,250,000.00
B. Mental Health.....	8,000,000.00
C. Transportation.....	15,000,000.00
D. Board of Corrections:	
For operations.....	5,000,000.00
E. Economic and Community Development.....	1,500,000.00
F. General Government.....	2,205,972.00

The appropriations made in this sub-section shall not revert or lapse but shall remain available for the purposes for which the appropriations were made.

In the event that the amount of funds actually received is greater than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct the excess over the anticipated entitlement in such order and with such priorities as he deems proper.

In the event that the amount of funds actually received is less than the anticipated grants or entitlements under the State and Local Fiscal Assistance Act of 1972, the Governor may direct such reductions in amounts herein appropriated as he deems proper.

Any unappropriated balances from the previous fiscal years or interest heretofore or hereafter earned from investments of funds received as grants or entitlement under the State and Local Fiscal Assistance Act of 1972, are hereby appropriated for such purpose or purposes as the Governor deems necessary.

Section 8. No funds appropriated herein may be expended for rent, leases, contracts, or purchases of data processing equipment or services or for rent for any office space on any contract, lease, purchase, or agreement made prior to September 30, 1975 for such items, unless approved or re-approved on or after October 1, 1975, by the Division of Data System Management and the Director of Finance.

Section 9. That, if any section, paragraph, sentence, clause, provision or portion of this Act or all or any portion of any appropriation or appropriations herein made be held unconstitutional or invalid, it shall not affect any other section, paragraph, sentence, clause, provision or portion of this Act or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 10. That all laws and parts of laws, general, special, private, or local, in conflict with or inconsistent with the provisions of this Act be and the same are hereby expressly repealed.

Section 11. That this Act shall become effective October 1, 1975.

And said bill as thus amended by the Report of the Committee on Conference was again read and passed.

And said bill, together with the Report of the Committee on Conference, is herewith sent to the Senate for its consideration.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

Mr. Owen moved that the Senate concur in the Report of the Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill, H. B. 490, the title of which and said Conference Report are set out in the foregoing Message from the House.

Mr. Clemon offered a substitute motion that the Senate non-concur in the Report of the Committee on Conference, discharge the Conference Committee and appoint new conferees.

Mr. Owen moved that the motion to non-concur be laid on the table, which motion was lost.

Yeas 16; Nays 18.

Yeas:

Messrs. Adams, Edwards, Foshee, Givhan, Jones, Little, McDonald (A), McDonald (S), Noonan, Owen, Perloff, Perry, St. John, Stewart, Torbert, Wilson.

—16

Nays:

Messrs. Baker, Bank, Clemon, Ellis, Fine, Flippo, Gilmore, King,

Littleton, McMillan, Mims, Mitchell, Pearson, Powell, Roberts, Shelby, Vacca, Waldrop.

—18

The question was then on the motion of Mr. Clemon that the Senate non-concur in the Conference substitute for H. B. 490.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 416. To amend Sections 36 and 38, as amended, of Title 53, Code of Alabama 1940, being Sections 9 and 11 of Act No. 542, Regular Session 1959, pp. 1335 et seq. which regulate transactions in securities in Alabama so as to resolve an ambiguity and make it clear that Alabama Credit Unions are entitled to the same exemptions enjoyed by banks, savings and loan associations and trust companies.

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 784. To apply only in Mobile County; providing for service of witness subpoenas by mail.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 1517. Relating to Mobile County; to provide further for the disposition and use of a certain portion of the funds received by Mobile County under the provisions of Act No. 2, H. 47, Regular Session 1945 (Acts 1945, p. 20), as amended, providing for an oil and gas severance tax, and to specifically repeal Act No. 29, H. 30, Second Special Session 1956 (Acts 1956, p. 299), and all other laws or parts of laws in conflict herewith.

Also:

H. 1255. Providing a white cane law for Alabama, including provisions to ensure full and equal accommodations to the blind and otherwise disabled, the right to be accompanied by a guide dog, penalties for failure on the part of a driver to take necessary precautions to avoid injuring blind pedestrians; penalties for denial or interference with admittance of blind or otherwise disabled persons to public facilities or for otherwise interfering with the rights of such persons; setting forth a state employment policy towards the blind; and providing that blind and otherwise disabled persons shall be entitled to equal access to housing accommodations offered for rent, lease, or compensation in this state.

JOHN W. PEMBERTON,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate for its consideration:

By Messrs. Smith (B), Lutz, Albright, Riddick, Moore (W) and Gregg)

H. J. R. 343. CONGRATULATING HUNTSVILLE SENIOR HIGH SCHOOL UPON BEING AWARDED THE NATIONAL BELLAMY AWARD.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. King, the Rules were suspended and the Resolution, H. J. R. 343, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT OF COMMITTEE ON RULES

Mr. President:

Your Standing Committee on Rules begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 795. Authorizing the Department of Public Safety to protect the person of the Governor, Governor-elect, Lieutenant Governor, Lieutenant Governor-elect, Attorney General, Attorney General-elect, other officials of the state and distinguished visitors; defining terms used in this act;

providing for penalties for anyone who obstructs, resists or interferes with officers of the Department of Public Safety in the performance of this protective function, as well as penalties for anyone threatening the life or person of the Governor or other protectees of the Department of Public Safety.

E. C. FOSHEE,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Rules.

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion of Mr. Clemon that the Senate non-concur in the Report of the Committee on Conference.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and, as amended, has passed the following Senate bill and returns same herewith to the Senate:

S. 1018. Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairman to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to provide for method of registering voters by political party preference and requiring all voters in future primaries to be registered as a member of respective party; to provide for method of changing party registration; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time

and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

JOHN W. PEMBERTON,
Clerk.

HOUSE MESSAGE

On motion of Mr. Mitchell, the Senate concurred in and adopted the following House amendment to the Bill, S. B. 1018, the title of which is set out in the foregoing Message from the House, to-wit:

HOUSE SUBSTITUTE FOR S. B. 1018

A BILL TO BE ENTITLED AN ACT

Relating to elections; to define "primary elections"; to provide party may choose to come under law; to define "political party"; to define the term "total vote"; to provide which elections are within the law; to provide for the date of elections; allows party to elect convention delegates by presidential preferential primary; to provide for party committees and their election; to provide for payment of expenses of primary elections; to provide method of filing declaration of candidacy and require party chairmen to certify such candidates; to require candidates to be eligible to hold office; to provide for public notice to election; to establish who may vote in primary; to allow parties to assess fees against candidates; to allow candidates to nominate election officers and provides for oath of said officers; to provide for official ballots and election stationery; to provide for ballot boxes and voting machines to be used; to provide official form of ballot; provides method of challenging voters; to provide regulations for handling challenged ballots; to provide methods of casting votes; to provide for poll watchers; to provide for assistance to voters unable to read English; to provide duties of sheriff; to provide time of counting ballots; to provide for disposition of ballots, lists and supplies; to require public proclamation of the result; to provide for tabulation and declaration of results by precinct; to provide for declaration of candidate or nominee; to provide for date of second primary; to provide for breaking tie votes; to provide for certification of nominees to probate judge; to provide for filling vacancies in nominations; to provide for method, time and place of mass meetings; to provide penalties for violation of mass meeting law; and to repeal Code of Alabama 1940, Title 17, Chapter 2.

Be It Enacted by the Legislature of Alabama:

Section 1. A primary election, within the meaning of this Act, is an election held by the qualified voters, who are members of any political party, for the purpose of nominating a candidate or candidates of public or party office. Primary elections are not compulsory. A political party may, by its state executive committee, elect whether it will come under the primary election law. All political parties are presumed to have accepted and come under the provisions of the primary election law, but any political party may signify its election not to accept and come under the primary election law by filing with the secretary of state, at least sixty days before the date herein fixed for the holding of any general primary election, a statement of the action of its state executive committee, certified by its chairman and secretary, which statement shall contain a copy of the resolution or motion adopted declining to accept and come

under the primary election law. If a political party declines to accept and come under the primary election law it shall not change its action and accept and come under the primary election law until after the next general election held thereafter. The governing body of a political party may determine from time to time what party officers shall be elected in the primary; provided, candidates for all party offices shall be elected under the provisions of this Act unless the method of their election is otherwise directed by the governing body of the party involved.

Section 2. An assemblage or organization of electors which, at the general election for state and county officers then next preceding the primary, cast more than twenty percent of the entire vote cast in any county is hereby declared to be a political party within the meaning of this Act within such county; and an assemblage or organization of electors which, at the general election for state officers then next preceding the primary, cast more than twenty percent of the entire vote cast in the state, is hereby declared to be a political party within the meaning of this Act for such state.

Section 3. In determining the total vote of a political party whenever required by this Act the test shall be the total vote received by a candidate of that party who received the highest vote total of any of the candidates of that party.

Section 4. All primary elections hereafter held by any political party in this state for the nomination of any state, national, district, circuit, county or municipal officers, shall be held and conducted under the provisions of this Act, and, except as herein modified, shall be held and conducted in the same manner and form, and under the same requirements, and subject to the same forfeitures, penalties and punishments, as are now or shall hereafter be provided by law for the holding of regular state elections, but nothing herein contained shall make it obligatory upon any political party or parties to hold a primary election.

Section 5. If any primary elections, except special primary election, are held at the expense of the state or counties during presidential election years, the same being 1976 and every four years thereafter, the same shall be held on the first Tuesday in May; and during gubernatorial election years, the same being 1978 and every four years thereafter, the same shall be held on the first Tuesday after the first Monday in September. When necessary, as hereinafter provided, a second or runoff primary election shall be held on the third Tuesday next thereafter following said primary election. The second primary shall be held by the same election officers who held the first primary, and be held at the same places as the first primary election. No primary shall be held by any political party except as herein provided. Primary elections herein provided for shall be held at the regular polling places established for the purpose of holding general elections.

Section 6. Political parties may provide for the selection of delegates to national conventions by the holding of a presidential preference primary or by popular election of the delegates or otherwise. In the event a presidential preference primary is called by the governing body of any party, notice of such action shall be given to the Secretary of State as part of the notice required by section 12 of this Act. Said notice shall prescribe the procedure for the listing of the names of presidential candidates on the primary ballot and for the selection of delegates pledged under party rules to vote for the respective presidential candidates. A presidential preference primary, when called, will appear in the first or top

position on the primary ballot. When no presidential preference primary is to be utilized, delegates may be elected in the primary election in the same manner as other party officers except that, subject to such rules and procedures as the respective political parties may adopt, delegate candidates may be permitted to list opposite his or her name on the primary ballot the surname of the presidential candidate to whom he or she is pledged or the word "uncommitted". When delegates are to be so elected the candidates for such position or positions shall appear in the first or top position on the primary ballot.

Section 7. There may be provided a committee of each party for the state and each political subdivision of the state, including counties, said committees to be selected in such manner as may be provided for by the governing authority of each party, but if there shall not be elected or chosen any committee for any county or other political subdivision, then all the powers which could be exercised by any such committee shall be vested in the state executive committee, under such rules and regulations as the governing body of the party may designate, or the state committee or the chairman thereof may appoint a county committee to act until such a committee is elected or chosen as provided by law or party rule. When a state executive committee of a party is provided said state executive committee shall be the governing body of the party within the meaning of this Article, except that it shall have the authority to delegate to county executive committees authority over the conduct of party affairs within the respective counties including authority over the conduct of primary elections within the respective counties.

Section 8. The state or county executive committee of any political party may, by a majority vote of said committee, require that members of said committee be elected by the qualified electors of such political party. If such committee adopts an appropriate resolution requiring that such members be so elected, such election shall be held on the same ballot as the gubernatorial primary election. When members of county or state executive committees are to be elected in a primary their declarations of candidacy shall be filed in the same manner and within the same time as candidates for nomination for public office.

Section 9. The compensation of officers and other expenses of any and all primary elections, general or special, held under the provisions of this Act shall be paid in the same manner and to the same extent as is or may be provided by law for the payment of the expenses and officers of general elections held under the general election laws of Alabama, and to be paid out of the county treasury in same manner.

Section 10. All candidates for nomination to public office or for election to party office in the primary provided for in this Act shall file their declaration of candidacy with the state party chairman if they seek any office other than a county office (including federal, state, circuit, and district offices, the state senate and house of representatives), and with the county party chairman if they seek a county office, not later than 5 p.m. 46 days before the date of such primary.

The state party chairman shall, no later than 5 p.m. 39 days before the primary certify the names of all primary candidates except candidates for county offices, to the secretary of state. The county party chairman shall, not later than 5 p.m. 39 days prior to the date of the primary election, certify to the probate judge the names of all candidates for nomination to county offices or election to county party offices. The secretary of state

shall, not less than 29 days prior to the date of the primary election, certify to the probate judge of every county in which the election is to be held the names of the opposed candidates for nomination to federal, state, circuit, or district offices, the state senate and house of representatives, and all other opposed candidates to public or party office, except candidates for county offices. The probate judge of each county shall have the ballots prepared for the primary election. If a legally qualified candidate for nomination to an office is unopposed when the last date for filing declarations of candidacy has passed, his name shall not appear on the ballots to be used in the primary election, and he shall be the nominee of the party with which he has qualified for the office. If a legally qualified candidate for election to a party office is unopposed when the last date for filing declarations of candidacy has passed, his name shall not appear on the ballots to be used in the primary election, and he shall be declared elected to the party office for which he qualified.

Section 11. The name of no candidate shall be printed upon any official ballot used at any primary election unless such person is legally qualified to hold the office for which he is a candidate, and unless he is eligible to vote in the primary election in which he seeks to be a candidate and possesses the political qualifications prescribed by the governing body of his political party.

Section 12. When it shall be desired by the governing body of any political party to enter the primary election ordered to be held under the provisions of this chapter, said governing body for the state shall give public notice thereof by filing a copy of the resolution of such governing body with the secretary of state of Alabama. Such notice may be given to the secretary of state by the chairman of the county executive committee where the primary election affects only one county, and a copy of such notice shall be filed with the probate judge of such county.

Section 13. All persons who are qualified electors under the general laws of the State of Alabama, and who are also members of a political party and entitled to participate in such primary election, under the rules of said party shall be entitled to vote therein and shall receive the official primary ballot of that political party, and no other; but every governing body of a party shall have the right, power and authority to fix and prescribe the political or other qualifications of its own members, and shall, in its own way, declare and determine who shall be entitled and qualified to vote in such primary election, or to be candidates therein, or to otherwise participate in such political parties and primaries; and the qualifications of electors entitled to vote in such primary election shall not necessarily be the same as the qualifications for electors entitled to become candidates therein; provided, that nothing herein contained shall be so construed as to prohibit any state executive committee of a party from fixing such qualifications, as it may deem necessary, for persons desiring to become candidates for nomination to offices at a primary election. All poll lists for primary elections shall state at the top thereof that by participating in said primary election a voter shall indicate his preference for the party holding said primary, and shall certify that he has been a member of the same for at least 30 days next preceeding said primary and that he is qualified under the rules of such party to vote in its primary election. No person shall be eligible to participate in said primary unless he signs said poll list and thereby certifies to the truth of said statement.

Section 14. The governing body of a party may fix assessments upon those able to pay, or other qualifications, as it may deem necessary,

for persons desiring to become candidates for nomination to offices at a primary election, but such assessments shall not exceed two percent of one year's emolument from all sources, of the office sought, and for an unremunerative or party county office or an unremunerative or party office to be filed by a vote of a subdivision greater than one county it shall not exceed Fifty Dollars or One Hundred and Fifty Dollars for an unremunerative or party office to be filled by a vote of the entire state.

Section 15. Each candidate for nomination may at least twenty-five days before the primary, present to the county executive committee of his party a list of election officers desired by him for any one or more of the districts, wards or precincts, and his county committee shall, so far as practicable, make up, from the list so presented to it, a list of names of election officers, six in number, for each district, ward or precinct, which it will nominate to the appointing board of the county for appointment as officers to conduct the primary election and the county committee shall present the list so made up by it to the appointing board of the county, which appoints the election officers to conduct elections for state and country officers in November, or at any other lawful time, which appointing board from the list so presented to it by the county committee shall if there by on said list the names of sufficient persons who are legally eligible select and appoint the officers to conduct the primary election, observing the above rule as to representation wherever more than one party enters the primary and in the latter case if a county committee has not given a sufficient number of names for a box; then the appointing board shall supply the deficiency from electors of that party. In the event the persons selected as officers fail to appear at the polling place on the day of the primary election at least one hour before the polls are scheduled to open then their places shall be filled by such of those who have been named by such appointing board, as do appear; and in the event none so named appear by then the voters present qualified to participate in such primary election may, from among themselves, select officers to conduct such election in such district or precinct, and such substituted persons, shall have the authority to conduct such elections, and to be paid for their service in the same manner as if they had been originally appointed. All officers serving in such primary elections shall take the same oath required to be taken by officers of regular state elections, and shall be subject to the same restrictions, limitations, penalties and conditions.

Section 16. Separate official ballots and other election stationery and supplies for each political party shall be printed and furnished for use at each election district or precinct, and shall be of a different color for each of the political parties participating in such primary election. All ballots for the same political party shall be alike, except as herein otherwise provided, printed in plain type, and upon paper so thick that the printing cannot be distinguished from the back. Across the top of the ballot shall be printed the party's emblem, if any, and the words, "Official Primary Election Ballot". Beneath this heading shall be printed the year in which said election is held and the words "Democratic Party" or Republican Party" or other proper party designation. Each group of candidates to be voted on shall be preceded by the designation of the office for which the candidates seek nomination, and in the proper place shall be printed the words, "Vote for one," or "Vote for two," (or more) according to the number to be elected to such office at the ensuing election. At the bottom of the ballot and after the name of the last candidate shall be printed the following, viz: "By casting this ballot I do pledge myself to abide by the result of this primary election and to aid and support all the nominees

thereof in the ensuing general election." Should any voter scratch out, deface or in any way mutilate or change the pledge printed on the ballot; he shall not be considered or held to have repudiated or to have refused to take the pledge, but shall, conclusively, be presumed and held to have scratched out, defaced, or mutilated or changed same for the sole purpose of identifying his ballot; and accordingly such ballot shall be marked "Spoiled Ballot" and shall not be counted.

Section 17. Where more than one political party has entered such primary it shall be the duty of the county governing body to furnish to the election officers of each voting place separate ballot boxes or, where voting machines are used, separate rows or columns on such machines for each party participating in such primary. Ballot boxes shall be distinctly marked and the ballots of electors of each party shall be deposited in the box assigned to and designated for that party. The returns, certificates, official list of voters, after the canvass of the votes, shall be deposited in the ballot box of the party to which they relate.

Section 18. The names of candidates for each office shall be listed on the ballot in alphabetical order by surname and the offices shall be listed in the following order:

President (if preference primary), Delegate to National Convention, Governor, Lt. Governor, U. S. Senator, U. S. Representative, Attorney General, State Senator, State Representative, Supreme Court Justice, Court of Civil Appeals Judge, Court of Criminal Appeals Judge, Secretary of State, State Treasurer, State Auditor, Commissioner of Agriculture and Industries, Public Service Commissioner, State Board of Education Member, Circuit Court Judge, District Attorney, District Court Judge, Circuit Clerk, Other public officers (to be listed in the order prescribed by the probate judge), Other party officers (to be listed in the order prescribed by the probate judge).

Section 19. Whenever and wherever candidates for two or more state offices of the same classification are to be nominated in said primary each of said places to be filled shall be numbered, and each candidate for such offices in the announcement of his candidacy shall designate the number of the office for which he is a candidate; the same person shall not be a candidate or be permitted to file his declaration for more than one of such places; provided, no ballot shall be counted for any candidate except for the place and number for which he announced in his declaration filed with the legally constituted authorities to receive and file declaration of candidacy.

Section 20. The judge of probate of each county is hereby required to furnish to the officers of the primary election a copy of the official list of voters of each precinct or district in his county, of the same kind and in the same manner as he is required by law to furnish such list to the officers at any general state election. The probate judge shall also furnish all necessary election supplies, including stamped addressed envelopes in which to mail certificate of results and other papers herein required to be forwarded. The probate judge shall deliver such election supplies and lists to the sheriff of the county not less than three days before the day of the election, and it shall be the duty of the sheriff to deliver the same, together with ballot boxes, to the officers of said election, at the place provided by law for holding said election, and not later than one hour before the polls are scheduled to open on said election day.

Section 21. If the name of a person desiring to vote in the primary of a party does not appear on the official list of voters for said district, ward, or precinct, as furnished by the judge of probate, it shall be the duty of the inspectors to challenge such vote in the same manner as they are required to challenge voters in the general elections whose names do not appear on the official list of voters, and, when challenged, such voter, before his ballot shall be received, shall be required to swear and subscribe to the same affidavit of qualification which is required of a voter challenged at a general election, and shall be required to swear and subscribe to an affidavit that he is a member of the party in whose primary he is attempting to vote, and shall also be required to produce the same kind of affidavit of identification as is required of a voter challenged at a general election, and the affidavit of identification must be sworn to and subscribed in like manner as required at general elections; provided, however, that wherever a person; duly qualified in a district, ward, or precinct, presents to the inspectors a certificate, (dated subsequent to the date of publication by the probate judge of the list of qualified voters), signed by the probate judge, and under his seal or that of his court, that such person's name appears upon the lists of qualified voters entitled to vote in that primary, on file or record in his office, then such applicant may be allowed to vote without any challenge made upon the above ground.

Section 22. All challenged votes shall be marked "challenged" on the back thereof by one of the inspectors and with a number corresponding to the number opposite the name of the challenged voter as it appears on the official list of the qualified voters for such election. If the name of such challenged voter does not appear on the official list of qualified voters, one of the inspectors shall add such name to the official list of qualified voters, and assign it its proper number on the list. All affidavits of challenged voters shall be taken in duplicate in the same manner as affidavits are taken of challenged voters in the general elections. One copy of such affidavits in reference to such challenged voters shall be returned with the votes in the ballot box of the party to which they pertain, and the other copy shall be mailed to the circuit solicitor to be presented by him to the next grand jury meeting in said county.

Section 23. The ballot of every voter shall be kept secret and inviolate. As the inspectors deposit the ballot, the name of the voter shall be checked off the official voting lists. One of the inspectors, as he hands out the ballot to the voter, shall initial the same on its back and before depositing it in the ballot box shall examine said ballot and see that it contains the identical initials aforesaid, and said ballot shall be numbered by one of the inspectors before being deposited in the ballot box and a corresponding number placed by the clerks on a record to be kept for that purpose by them, which records shall be enclosed in a separate envelope and sealed and directed to the chairman of the county executive committee, and delivered to him by the returning officer, and be kept by such chairman, and opened only as herein provided. In the event of a contest such sealed record of only the counties, districts, precincts, or wards concerned in the contests, shall be opened, and, when opened, may be used in evidence so far as necessary. Such chairman shall not open such sealed records except on proper demand, as provided for in this act, or as permitted by law, or to make certified copies on such demand; and he shall not open them except in the presence of the trial committee. The seal of the ballots shall be removed or broken only as provided for in the provisions of law applicable to general elections. After the time allowed by law for filing contests, if no contest be filed, the chairman of the county executive committee shall destroy sealed records.

Section 24. A candidate who has qualified may have a single watcher in the polling place to be appointed by him in writing over his own signature and the appointment shall be presented to and filed with the inspectors. A returning officer shall not be a watcher. A watcher shall not act as or be an election officer and shall not render assistance to anyone in preparing a ballot. The watcher may remain in the voting place from the opening of the polls until the box is sealed and delivered to the returning officer, and shall have the right to see and inspect the ballots as they are called off and see the tally as it is being made, and generally to watch the conduct of the election. Any watcher who shall violate any of the provisions of this chapter, and any person who shall pretend to be a watcher when he has not been appointed, and any person who shall impersonate a watcher, and any watcher who shall on election day either, directly or indirectly, electioneer or campaign with any of the electors or suggest how he shall vote shall be guilty of a misdemeanor, and on conviction shall be fined not less than One Hundred Dollars, nor more than One Thousand Dollars.

Section 25. If a qualified elector is unable to read the English language or is so physically disabled that he cannot cast his ballot, and requests assistance in preparing his ballot, the inspector shall swear him as to such disability, and thereupon said vote may have the assistance of any person he may select. Each elector in preparing his ballot shall prepare the same in the room or place where such election is being held, and not elsewhere.

Section 26. The sheriff shall perform the duty of returning officer as in general election unless someone else has been named and designated as authorized by law. It shall be his duty or the duty of such returning officer as may be otherwise legally named and designated, as the case may be, to return and deliver to the chairman of the county executive committee of each of the political parties participating in the primary election, at the office of the Judge of Probate at the county seat, the ballot boxes and returns which have been delivered to him by the officers of said election, and such ballot boxes and returns shall not be allowed to leave his possession and must be returned by him to such chairman not later than Wednesday, 10:00 a.m., following said primary election. Each and all persons failing to perform any of the duties herein required shall be guilty of a misdemeanor.

Section 27. At the close of the primary election at each polling place, and nowhere else, the inspectors and clerks, shall proceed forthwith without adjournment, in the manner provided by law in the case of general elections, to count the vote.

Section 28. No ballot shall be counted until the polls are closed, and before counting any ballot or examining the same, one of the official lists of voters for each party participating in the primary which was furnished by the probate judge and the numbered poll list signed by the voters participating in the primary election shall be securely sealed in separate envelope and each of the inspectors shall write his name across every fold at which the envelope is fastened could be opened. After the counting of the votes is finished, and certificates of the result have been prepared and signed, the inspectors shall seal up in a separate envelope all the ballots cast at such election, and shall put such ballots so sealed upon into the proper party ballot box, and shall also put into the ballot box one tally sheet and one certificate of the results, and the ballot box with those contents in it shall be securely locked and sealed. The inspectors shall also,

in an envelope, addressed to the chairman of the county executive committee or other governing body of each political party participating, seal up one certificate of the results, and one tally sheet, and such envelope with those contents in it, together with the proper party ballot box, shall thereupon be immediately delivered to the returning officer, who shall keep the same securely in his possession and by 10:00 a.m. Wednesday following the primary shall carry and deliver the box and envelope separately to the proper chairman of the county executive committees of the political parties participating in such primary, at the office of the probate judge of the county.

Section 29. After the result has been canvassed and declared by the county executive committee the chairman of such county committee shall securely keep the ballot box, until it is known that there will be no contest, but in any event, not less than thirty days, and if in that time no contest has been properly instituted, such chairman shall then destroy the contents of such box without examining the same; and such ballot box shall not be opened except in one or the other of the following events: First, in the event of a contest, where the opening of the box has been authorized under authority of the chairman of the executive committee trying the contest; and second, where a box has been returned but no certificate of the result of the election has been sent the chairman outside of the box, the box may be opened by the chairman of the county committee, under the direction and in the presence of the committee; and the committee for canvassing purposes may obtain the result at any particular district, ward or precinct, from the contents of the box, using the certificate of result contained therein, if any, or otherwise, so far as necessary in order to obtain it from the box; after which the papers shall be returned into the box and the box be resealed by the chairman in the presence of the committee.

Section 30. The counting of the ballots having been completed, the results shall be publicly proclaimed. Separate certificates for each of the political parties entering said primary and the results of said election shall be drawn up by said inspectors and clerks at each and every election district or precinct, which shall contain all matters and things provided for in the law regulating general elections. Said certificates shall be signed in triplicate by each of the inspectors; one copy of the same shall be forthwith posted in a conspicuous place at such polling place, one copy shall be deposited with or mailed to the chairman of the county executive committee of each of the political parties in the primary, at such place as the county executive committee of the county shall designate at which to receive such returns; and another copy shall be mailed to the chairman of the state executive committees of the political parties participating in said primary.

Section 31. The county executive committee of the party or parties participating in said primary election shall meet at the courthouse of their counties, not later than Wednesday, noon, next following said primary election, and receive said returns, canvass and tabulate the same, by precincts, and publicly declare the results thereof; and the chairman of each county executive committee shall forthwith, and not later than that day noon, certify and return to the chairman of the state executive committee a statement and tabulation, by precincts, of the result of said primary election and of the number of votes received by each candidate therein for office, except candidates for county office, and not later than noon on the Friday next following such primary election, the state

executive committee, or such sub-committee thereof as may have been appointed by the chairman thereof for such purpose shall meet at the State Capitol in Montgomery and receive said returns and canvass and tabulate the same by counties, and publicly declare on that day the results thereof as to all candidates for office therein except candidates for county office which results shall be final.

Section 32. At the respective meetings of the respective executive committees, said county executive committee shall, as to candidates in said primary election, for office, except candidates for county office, publicly ascertain, determine and declare: If any candidate for office in said primary election has received a majority of the votes cast for that office, and, if so, declare said candidate the nominee of the party for the office for which he was a candidate and for which he received a majority of the votes cast for that office in said primary election; if no candidate receives a majority of all of the votes cast in such primary election for any one office or offices for the nomination to which there were more than two candidates, then there shall be held a second primary election on the third Tuesday next thereafter following said primary election, and the chairman of the state executive committee shall certify to the secretary of state immediately upon the completion of such canvass, as aforesaid the names of the two candidates of his party to receive the highest number of votes in the first primary election for such office, or offices, except county officers, and who are to be voted for in the second primary election, and the chairman of each county executive committee shall immediately upon the completion of such canvass, certify to the probate judge of the county the names of the two candidates who received the highest number of votes in the first primary for nomination to any county office: and the secretary of state shall, within not more than six days from the date said certificate is received from the chairman of the state executive committee, certify to the probate judge, of any county where a second primary election is to be held the name or names of the candidates certified to him as herein provided by the chairman of the state executive committee; and the probate judge of each county in Alabama shall in manner and form as required by this chapter and the general laws of Alabama have prepared and printed all election supplies and all ballots to be voted in the second primary election, which ballots shall contain, under appropriate headings or titles of the offices to be filled, the names of the two candidates for each office so certified to him by the secretary of state and the chairman of the county executive committee, as herein required as well as such other matters as are required by this chapter and the general laws of Alabama, on ballots for the first primary election. At the second primary election no one can be a candidate except the two persons who receive the highest number of votes for the offices for which they were candidates, in the first primary election. The returns from the second primary election shall be made and the votes canvassed, tabulated and certified and the results declared in the same manner herein provided for making, canvassing, tabulating, certifying and declaring the results of the first primary election. The county executive committee of the parties participating in said primary election shall meet at the courthouse of their respective counties not later than Wednesday, next following the second primary election and receive said returns, canvass and tabulate the same by precinct, and publicly declare the results thereof, and the chairman of each county executive committee shall forthwith, and not later than that day noon, certify and return to the chairman of the state executive committee a statement and tabulation by precincts of the results of the second primary election and of the number of votes received by each candidate for office therein voted for, except

candidates for county office and not later than noon on the Friday next following the second primary election the state executive committee, or such subcommittee thereof as may have been appointed by the chairman thereof for such purpose, shall meet at the State Capitol in Montgomery and receive said returns and canvass and tabulate the same by counties, and publicly declare on that day the result thereof as to all candidates voted for, except as to candidates for county office which results shall be final, and at said respective meetings of said respective executive committees, said county executive committee shall, as to candidates for county office voted for in the second primary election, and said state executive committee shall, as to candidates for office in the second primary election voted for therein, except candidates for county office, publicly ascertain and determine the candidates receiving a majority of all of the votes cast in such second primary election for any one office, and the candidates so ascertained and determined to have received a majority of all of the votes cast in such second primary election for said office shall be declared the nominee of the party for such office, by said respective county and state executive committees; and thereupon, and immediately upon the completion of such canvass as aforesaid, the chairman thereof shall certify to and file with the judge of probate of his county the names of those who have been nominated in the first or the second primary election or as otherwise authorized or provided by this chapter, as candidates of his party for county offices, and in like manner, and immediately upon the completion of such canvass, as aforesaid by the state executive committee, or subcommittee thereof, the chairman of the state executive committee shall certify to and file with the secretary of state the names of those who have been nominated in the first or second primary election or as otherwise authorized or provided by this chapter as candidates of his party for office, except candidates for county office, and the names of the persons so certified shall be placed, in accordance with Sections 40 and 47 hereof, upon the official ballot of the general election to be held in November next thereafter as the candidates of the party for the offices for which they, respectively, have been so nominated.

Section 33. In the event either of the two candidates receiving the highest number of votes in the first primary election, herein provided for, he shall, as soon as possible and not less than ten days after the holding of the first primary election, certify his declination to enter such second primary election to the chairman of the state executive committee of his party, if the office is an office other than a county office, or to the chairman of the county executive committee of his party if the office is a county office, and upon the receipt of such notification the chairman of such committee shall declare the other candidate the nominee of the party for such office and certify his name as such nominee to the secretary of state or the probate judge, as the case may require, and a second primary election for the nomination of a candidate for that particular office shall not be held.

Section 34. If a nominee for a single office is to be selected, with more than one candidate, then the majority of votes cast for said office in such election shall be ascertained by dividing the total vote cast for all candidates for said office by two, and any number of votes in excess of one-half of such total votes cast for all candidates for such office shall be a majority within the meaning of this section. If nominee for two or more offices (constituting a group) are to be selected, and there are more candidates for nomination than there are such offices, then the majority of votes cast for said office in such election shall be ascertained by dividing

the total vote cast for all such candidates by the number of positions to be filled, and then dividing the result by two. Any number of votes in excess of the number ascertained by such last division shall be the majority herein provided for necessary for nomination. If in ascertaining the result in this way, it appears that more candidates have obtained this majority than there are positions to be filled, then those having the highest vote, if beyond the majority just defined, shall be declared the nominees for the positions to be filled.

Section 35. If, in any primary election held under the provisions of this chapter, there shall be a tie vote cast, then in such event such tie shall be decided by the chairman of the state executive committee if the office be an office other than a country office, and by the chairman of the county executive committee if the office be a county office.

Section 36. The secretary of state shall within 6 days after the second primary election certify to the probate judge of each county in the state separate list of nominees of each party for office, except nominees for county offices, to be voted for by the voters of such county.

Section 37. The state executive committee, in cases where the office to be filled is not a county office, and the county executive committee in cases where the office to be filled is a county office, but subject to the approval of and in accordance with the method prescribed by the state executive committee, where a vacancy may occur in any nomination, either by death, resignation, revocation, or otherwise, or in case of any special election, shall have the power and authority to fill such vacancy, either by action of the committee itself, or by such other method as such committee may see fit to pursue.

Section 38. The state executive committee or other governing body of any political party may provide for state conventions or conventions of other sub-divisions and may provide for the election of delegates to such convention or other party officers at the general primary herein provided for.

Section 39. When any political party shall desire to hold any mass meeting, beat meeting, or other meeting of the voters of such party for the purpose of nominating any candidate or candidates for public office, to be voted for in a general election in Alabama or for the purpose of selecting delegates, or other representatives to any convention which may select such candidates for public office, or when any such party shall desire to hold such mass meeting, beat meeting, or other meeting of the voters of such party for the purpose of selecting committeemen, representatives or other party officers of such party; all of such meetings shall be held at the times and places set out in the succeeding section, and at no other times or places.

Section 40. All such meetings shall be held in a hall, room, or open place at or in the immediate vicinity of the voting place of the respective precinct or voting district and on the same date as that set for primary elections. The general public is privileged to attend such meetings but not to participate. No less than five (5) days prior to the date upon which any such mass meeting, beat meeting or other meeting is to be held, notice of such meeting including the time and place of such meeting shall be filed with Judge of Probate of the County in which any such meeting is to be held and shall be published in a newspaper of general circulation in said county at the expense of the political party holding such meeting. The

Probate Judge shall immediately forward to the Secretary of State a certified copy of all notices filed under this section.

Section 41. Sections 39, 40 and 42 of this act shall not apply where a special election is called for the election of a public officer, for which said party has no candidate, or, where by death, resignation, or otherwise, a vacancy has occurred in any nomination made by such party; and sections 39, 40 and 42 of this act shall not apply to municipal elections.

Section 42. Any person or persons who shall hold, attend or participate in the holding of any meeting for the purpose of nominating a candidate or candidates for public office, to be voted for at any general election in Alabama, or for the purpose of electing delegates or other representatives to any convention which may select such candidates for public office, at any time or place other than as provided for in this Act, relating to mass meetings or beat meetings, or who shall otherwise violate the laws of this state regulating mass meetings or beat meetings, shall be guilty of a misdemeanor.

Section 43. The certificate of nomination by any caucus, convention, mass meeting, or other assembly of any political party or faction in this state not conducting a primary election at the expense of the state shall be filed, on or before 5 p.m. of the day of holding primary elections prescribed herein, with the probate judge in the case of nominations for county office, and with the secretary of state in the case of all other offices. Each such certificate must have attached thereto a separate sworn statement from the nominee signed by him, stating that he accepts the nomination.

Section 44. Code of Alabama 1940, Title 17, Sections 336 through 394 and Sections 412 through 419 are hereby repealed.

Section 45. All laws or parts of laws which conflict with this act are hereby repealed.

Section 46. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 47. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AMENDMENT NO. 1 TO S. B. 1018 AS SUBSTITUTED

Amend Section Five (5)—If any primary election, except special primary elections, is held at the expense of the state or counties, the same shall be held on the first Tuesday after the first Monday in September, beginning in 1978. When necessary, as hereinafter provided, a second or runoff primary election shall be held on the third Tuesday next thereafter following said primary election. The second primary shall be held by the same election officers who held the first primary, and be held at the same places as the first primary election. No primary shall be held by any political party except as herein provided. Primary elections herein provided for shall be held at the regular polling places established for the purpose of holding general elections.

AMENDMENT NO. 2 TO S. B. 1018, AS SUBSTITUTED

Amend House Substitute for Senate Bill 1018, page 22, line 24, by

inserting after the word "election", the following words: shall determine not to enter the second primary election,

AMENDMENT NO. 3 TO S. B. 1018, AS SUBSTITUTED

In Section 28, at the end of the section on page 17, line 20, add as a part of such section the following:

The inspectors shall also post in a conspicuous place at the polling place, for public inspection there, a copy of the certificate of the result.

Yeas 24; Nays 0.

Yeas:

Messrs. Adams, Bank, Clemon, Edwards, Ellis, Gilmore, King, Littleton, McDonald (A), McDonald (S), McMillan, Mims, Mitchell, Noonan, Owen, Perloff, Perry, Powell, St. John, Shelby, Stewart, Torbert, Vacca, Waldrop.

—24

Nays:

—0

FURTHER CONSIDERATION OF H. B. 490

The Senate proceeded to further consideration of the Bill, H. B. 490. The question was on the motion of Mr. Clemon that the Senate non-concur in the Report of the Committee on Conference.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Joint Resolutions and Senate Bills delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. B. 711

S. J. R. 98

S. B. 218

S. B. 290

S. B. 292

S. B. 535

S. B. 624

S. B. 754

S. B. 773

S. B. 794

S. B. 817

S. B. 820

S. B. 850

S. B. 891
S. B. 907
S. B. 929
S. B. 982
S. B. 1022
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S. B. 1066
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S. B. 1131
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S. B. 209
S. B. 348
S. B. 350
S. B. 733
S. B. 1201
S. B. 465
S. B. 533
S. B. 567
S. J. R. 130
S. J. R. 138
S. J. R. 139
S. J. R. 142
S. J. R. 145

Delivered to the Governor, October 2, 1975, at 12:10 P.M.

S. B. 299
S. B. 441
S. B. 627
S. B. 741
S. B. 947
S. B. 967
S. B. 988
S. B. 1025
S. B. 1109
S. B. 1134
S. B. 1152
S. B. 1173
S. B. 1255
S. J. R. 91
S. J. R. 146
S. B. 679
S. B. 680
S. B. 848
S. B. 881

S. B. 905

S. B. 1038

S. B. 1068

S. B. 1112

S. B. 365

S. B. 410

Delivered to the Governor, October 2, 1975, at 6:40 P.M.

S. B. 1135

Delivered to the Secretary of State, October 2, 1975, at 6:40 P.M.

S. B. 795

Delivered to the Governor, October 2, 1975, at 10:40 P.M.

McDOWELL LEE,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

ADJOURNMENT

At 11 o'clock P.M., on motion of Mr. Fine, in accordance with Joint Resolution heretofore adopted, and pending further consideration of H. B. 490, the Senate adjourned until Thursday, October 9, 1975, at 8 o'clock A.M.

